

MARSHACK HAYS LLP

ATTORNEYS AT LAW | LITIGATION | REORGANIZATION | BANKRUPTCY

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Reference No. 1015-142

31 January 2022

VIA E-MAIL AND ECF
Furman_NYSDChambers@nysd.uscourts.gov

The Honorable Jesse E. Furman
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Michael Avenatti*
19 Cr. 374 (JMF)

Dear Judge Furman:

This firm is general counsel to Richard A. Marshack in his capacity as Chapter 7 bankruptcy trustee for Mr. Avenatti's former law firm, Eagan Avenatti LLP, which case is pending in the United States Bankruptcy Court for the Central District of California, Case No. 8:19-13560.

On January 10, 2022, Mr. Marshack's office received the cover letter and subpoena attached as Exhibit "1." The subpoena was not personally served on Mr. Marshack who was not present at the office when the documents were delivered.

The Bankruptcy Court has denied Mr. Marshack's Motion to Comply with the Subpoena

On January 24, 2022, Mr. Marshack filed the emergency motion seeking authorization from the Bankruptcy Court to comply with the subpoena attached as Exhibit

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“2.” Pursuant to Mr. Marshack’s request, the Bankruptcy Court set a hearing on the emergency motion on January 26, 2022. Notice of the emergency hearing was provided to Mr. Avenatti’s public defender who had served the subpoena. A true and correct copy of e-mail correspondence between Mr. Marshack’s special counsel, Matthew Murphey, and Mr. Dalack is attached as Exhibit “3.” Although Mr. Dalack did not attend the hearing, Mr. Avenatti’s bankruptcy counsel Ryan O’Dea did appear.

At the conclusion of the emergency hearing, the Bankruptcy Court denied the emergency motion with prejudice holding that the failure to seek leave of the Bankruptcy Court prior serving the subpoena failed to comply with United States Supreme Court’s *Barton* Doctrine. “Under *Barton* [*v. Barbour*, 104 U.S. 126 (1886)], plaintiffs must obtain authorization from the bankruptcy court before ‘initiat[ing] an action in another forum’ against certain officers appointed by the bankruptcy court for actions the officers have taken in their official capacities.” *In re Yellowstone Mountain Club, LLC*, 841 F.3d 1090, 1094 (9th Cir. 2016), quoting *In re Crown Vantage, Inc.*, 421 F.3d 963, 970 (9th Cir. 2005) (brackets in original). *Barton* issues are jurisdictional. *Barton*, 104 U.S. at 131; *Satterfield v. Malloy*, 700 F.3d 1231, 1234 (10th Cir. 2012). The *Barton* Doctrine (as it has become known) has been extended to bankruptcy trustees. *In re Crown Vantage*, 421 F.3d at 970.

A federal judicial district other than that in which a bankruptcy proceeding is pending is considered “another forum” for purposes of *Barton* analyses. *In re Yellowstone Mountain Club, LLC*, 841 F.3d at 1094. Subpoenas that threaten a bankruptcy trustee with contempt of court for failure to comply have been held subject to *Barton* analysis and compliance. *In re Circuit City Stores, Inc.*, 557 B.R. 443, 448 (E.D. Va. 2016) (finding issue of compliance with a third-party subpoena directed to a court-appointed liquidating trustee “a core proceeding” for a bankruptcy court’s jurisdiction pursuant to 28 U.S.C. section 157(b)(2)(A), (L) and (O).) In *Circuit City*, the bankruptcy court found that it had jurisdiction to decide the issue and prohibited the subpoenaing party from enforcing the subpoena.

After the hearing, e-mail notice of the Bankruptcy Court’s ruling was sent to Mr. Dalack. See, Exhibit “4.” No response was received. Furthermore, no further response was received from Mr. Avenatti’s bankruptcy counsel, Mr. O’Dea. A copy of the Court’s Minute Order denying the motion with prejudice is attached as Exhibit “5.”

It was not until this morning, that Mr. Marshack became aware of the fact that late last night (Sunday, January 31, 2022), that Mr. Avenatti had filed a motion to compel. The motion to compel was not served on Mr. Marshack. Instead, counsel became aware of it after receiving a telephone call from Mr. Sobelman.

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Because the Bankruptcy Court has denied Mr. Marshack's motion to comply with the subpoena which was never personally served on Mr. Marshack and Mr. Avenatti has failed to comply with the Barton Doctrine, good cause exists to quash the subpoena.

Mr. Marshack is not a percipient witness with respect to issues before the Court

Mr. Marshack is a bankruptcy trustee that was appointed as the estate's representative in September 2019. Given that the central issues in Mr. Avenatti's current trial relate to events prior to this time, Mr. Marshack could not be a percipient witness with information relevant to the case. Requiring Mr. Marshack to travel to New York under such circumstances would be burdensome, oppressive, or harassing.

As the estate's representative, documents and electronic data belonging to Eagan Avenatti, LLP are under Mr. Marshack's control. Mr. Marshack, however, has not reviewed any documents relating to the case currently before the Court. And, from third party accounts, it would appear that the funds at issue in the current case did not flow with the Eagan Avenatti firm's bank accounts but instead through accounts held in the name of Avenatti & Associates.

Also, from news reports regarding orders issued by this Court, Mr. Avenatti has had copies of the Eagan Avenatti law firm's servers for several months. So, to the extent Mr. Avenatti sought documents located on the servers, he has had the same access to them as Mr. Marshack. For the Court's edification, Mr. Marshack does not have the ability to personally search the Eagan Avenatti servers. Instead, he has retained an electronic document manager (Force 10, LLP) which would run any requested query and provide the results back to Mr. Marshack. Pursuant to an order entered by the Bankruptcy Court, Force 10 is entitled to compensation for running any requested searches. The effect of such costs is another reason why prior compliance with the Barton Doctrine is required before a subpoena may be served on a bankruptcy trustee. Not only is Mr. Marshack theoretically threatened with contempt from a court outside of the Bankruptcy Court, Mr. Avenatti is currently pursuing exactly such a request.

Mr. Marshack currently has Covid

Last week, Mr. Marshack tested positive for Covid-19 and is currently isolating at home. Even if this Court denied this motion to quash and required him to testify, he is currently unable to travel and would not expect to test negative and be able to travel for at least several more days.

Mr. Marshack is cognizant of the gravity of the charges against Mr. Avenatti and does not file this motion seeking to evade any obligation to provide relevant information which he does not believe he possesses. That is why he sought leave of the Bankruptcy

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Court to respond to and comply with the subpoenas served by both the public defender and prosecutor in this case. The Bankruptcy Court though denied the motion. Mr. Avenatti's failure to follow proper procedure by not personally serving the subpoena, not first obtaining leave of the Bankruptcy Court, and by not responding to the e-mail communications sent before and after the emergency hearing held by the Bankruptcy Court justify granting this motion to quash and denying Mr. Avenatti's motion which seeks to hold Mr. Marshack in contempt.

I can be reached on my mobile number which is 949-413-7223. Thank you.

Very truly yours,

/s/ D. Edward Hays

D. EDWARD HAYS
Counsel for Third Party Witness and Bankruptcy
Trustee, Richard A. Marshack

cc: ECF

EXHIBIT “1”

**Federal Defenders
OF NEW YORK, INC.**

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director

January 7, 2022

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

Mr. Richard A. Marshack, Esq.
Marshack Hays LLP
870 Roosevelt
Irvine, CA 92620

RE: United States v. Michael Avenatti
19 Cr. 374 (JMF)

Dear Mr. Marshack,

Federal Defenders of New York, Inc., represents the above captioned individual in federal court in the Southern District of New York. Attached please find a trial appearance subpoena for your testimony on January 24, 2022, at 40 Foley Square in front of Judge Jesse M. Furman at 9:00 a.m. and for the duration of the trial. In addition to your trial testimony, we are requesting items be **produced in advance** of the January 24, 2022, trial date. Please see the enclosed subpoena rider with the requested items.

The requested items should be returned to Federal Defenders of New York, Inc., Attn: Ms. Anna Finkel, 52 Duane St., 10th Fl., New York, NY, 10007 or by email to anna_finkel@fd.org. You will not be required to be in court on January 24, 2022, but you will need to be available for the duration of the trial. Please contact me at (212) 417-8714 or Mr. Robert Baum, Esq. at (212) 417-8760 to discuss scheduling matters and your travel arrangements to testify at trial.

Sincerely,

/s/
Anna Finkel
Chief Investigator
(212) 417-8714

Enclosure

AO 89 (Rev. 08/09) Subpoena to Testify at a Hearing or Trial in a Criminal Case

UNITED STATES DISTRICT COURT

for the

Southern District of New York

United States of America)

v.)

Michael Avenatti)

Case No. 19 Cr. 374 (JMF)

Defendant)

SUBPOENA TO TESTIFY AT A HEARING OR TRIAL IN A CRIMINAL CASE

To: Richard A. Marshack, Esq.

YOU ARE COMMANDED to appear in the United States district court at the time, date, and place shown below to testify in this criminal case. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place of Appearance: 40 Foley Square, Judge Jesse M. Furman	Courtroom No.: courtroom 1105 Date and Time: 01/24/2022 9:00 AM and for the duration of trial
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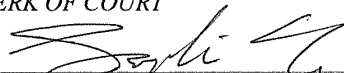
You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

SEE RIDER

(SEAL)

RUBY J. KRAJICK

CLERK OF COURT



Signature of Clerk or Deputy Clerk

Date: 01/07/2022

The name, address, e-mail, and telephone number of the attorney representing (*name of party*) Michael Avenatti
_____, who requests this subpoena, are:

Federal Defenders of New York, Inc.
Mr. Robert M. Baum, Esq.
52 Duane St., 10th Fl.
New York, NY 10007
(212) 417-8760
Robert_Baum@fd.org

EXHIBIT "1"

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Richard A. Marshack – Rider

Provide the following records:

**** Produce in advance of trial *certified copies of the following items:***

provide any and all communications between Stephanie Clifford (aka Stormy Daniels) and Michael Avenatti between February 2018 – Present. This should include all text messages, instant messages, emails, letters, cards, voicemails, Facebook messages, WhatsApp messages, Instagram messages, and messages on similar platforms such as Signal or Telegram.

- provide any and all communications between Stephanie Clifford and Judy Regnier between February 2018 – Present. This should include all text messages, instant messages, emails, letters, cards, voicemails, Facebook messages, WhatsApp messages, Instagram messages, and messages on similar platforms such as Signal or Telegram.

- provide any and all communications involving Judy Regnier relating to Ms. Clifford's book between February 2018 – Present. This should include all text messages, instant messages, emails, letters, cards, voicemails, Facebook messages, WhatsApp messages, Instagram messages, and messages on similar platforms such as Signal or Telegram.

- provide any and all communications between Judy Regnier and Michael Avenatti relating to Stephanie Clifford between February 2018 – Present. This should include all text messages, instant messages, emails, letters, cards, voicemails, Facebook messages, WhatsApp messages, Instagram messages, and messages on similar platforms such as Signal or Telegram.

- provide any and all communications involving Michael Avenatti relating to work performed for Stephanie Clifford, including on her book deal, between February 2018 – Present. This should include all text messages, instant messages, emails, letters, cards, voicemails, Facebook messages, WhatsApp messages, Instagram messages, and messages on similar platforms such as Signal or Telegram.

- provide any and all documents reflecting work performed for Stephanie Clifford, including on her book deal, between February 2018 – Present. This should include all text messages, instant messages, emails, letters, cards, voicemails, Facebook messages, WhatsApp messages, Instagram messages, and messages on similar platforms such as Signal or Telegram.

- provide any and all accounting, billing, and financial records relating to Stephanie Clifford. This should include all invoices, bills, and accounting entries reflecting monies expended for Ms. Clifford, as well as all time spent working on Ms. Clifford's behalf.

- provide any and all Quickbooks and Tabs data relating to Ms. Clifford.

- provide any and all communications and documents relating to the financial condition of Michael Avenatti, Eagan Avenatti, LLP, and/or Avenatti and Associates, APC during the time period January 1, 2018 to March 30, 2019. This should include all documents and communications relating to assets, debts, cash flow, income, liabilities, loans, and prospects for future income.**

The defendant is indigent and invokes Rule 17(b) F.R.CRIM. P, and as such is not responsible for records-related fees.

EXHIBIT “2”

Case 8:19-bk-13560-SC Doc 353 Filed 01/24/22 Entered 01/24/22 19:31:05 Desc
Main Document Page 1 of 73

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4 Irvine, California 92620
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6 Attorneys for Chapter 7 Trustee,
RICHARD A. MARSHACK
7
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12
Special Litigation Counsel for
13 Chapter 7 Trustee,
RICHARD A. MARSHACK
14

15 UNITED STATES BANKRUPTCY COURT

16 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

17 In re
18 EAGAN AVENATTI, LLP
19 Debtor.

Case No. 8:19-bk-13560-SC

Chapter 7

CHAPTER 7 TRUSTEE'S EMERGENCY
MOTION FOR ORDER: AUTHORIZING
TRUSTEE TO USE PROPERTY OF THE
ESTATE PURSUANT TO 11 U.S.C. § 363
MEMORANDUM OF POINTS AND
AUTHORITIES; DECLARATIONS OF
RICHARD A. MARSHACK AND
MATTHEW D. MURPHEY IN SUPPORT

[Application for Order Setting Hearing on
Shortened Notice pursuant to 9075-1(a) filed
concurrently]

Date: To Be Set by the Court

Time: To Be Set by the Court

1 Richard A. Marshack, in his capacity as Chapter 7 trustee ("Trustee") of the Bankruptcy
2 Estate ("Estate") of Eagan Avenatti, LLP ("Debtor"), respectfully submits this emergency motion
3 ("Motion") for entry of an order authorizing Trustee to use property of the Estate. In support of this
4 Motion, Trustee respectfully represents as follows:

5 **1. Summary of Argument**

6 As this Court is aware, Mr. Michael Avenatti ("Mr. Avenatti") is a defendant in several
7 federal criminal matters filed by the United States of America. On December 20, 2021, Trustee was
8 been served with two subpoenas¹ from the Southern District of New York United States Attorney's
9 ("SDNY USA Office") office. At this time, Trustee does not believe that contesting the December
10 20th Subpoena is in the best interests of this Estate at this time, and wishes to comply if ordered by
11 this Court to do so. Indeed, the SDNY USA Office has offered to pay Force 10 Partners LLC
12 ("Force 10" (the Estate's electronic document manager) directly for the time and expense to provide
13 a response to the December 20th Subpoena. Also, on January 10, 2022, a third subpoena was
14 delivered to the Trustee's office on behalf of Mr. Avenatti's federal public defenders ("Avenatti
15 Subpoena"). Collectively, the December 20th Subpoena and Avenatti Subpoena will be referred to
16 as the "Subpoenas."

17 Through this Motion, the Trustee seeks this Court's authority to use property of the Estate
18 pursuant to 11 U.S.C. § 363, authorizing Force 10 to receive payment from the SDNY USA Office
19 for the time and expense related to the search for responsive documents, and to produce all
20 responsive documents to the Subpoenas. Trustee requests that the Court grant the Motion.

21 **2. Background Information**

22 On September 13, 2019 ("Petition Date"), Debtor filed a voluntary petition under Chapter 7
23 of Title 11 of the United States Code and the Trustee was appointed. A true and correct copy of this
24 Court's webPACER Docket for Case No. 8:19-bk-13560-SC as of January 1, 2019, is attached to the
25

26
27 ¹ The United States Attorney for the Southern District of New York issued two subpoenas to Trustee. The
28 latest one was issued (which contained an agreed upon narrowing of the items sought) was issued on
December 20, 2021, with a response date of January 24, 2021 ("December 20th Subpoena"), which Trustee
understands is the operative subpoena. A true and correct copy of the December 20th Subpoena is attached to
the Declaration of Richard A. Marshack ("Marshack Declaration") as Exhibit "1."

1 Marshack Declaration as Exhibit “2.” On the same date, schedules and statements of financial affairs
2 were filed (“Schedules and SOFA”). *Id.*, pg. 17.

3 Pre-petition, Brian Weiss was appointed as a receiver (“Receiver”) by the United States
4 District Court in the *In re Eagan Avenatti, LLP* case which was assigned as Case No. 8:18-cv-01644-
5 VAP-KES (“District Court Action”) pursuant to a stipulation and order entered on February 13,
6 2019. The Receiver signed the petition, Schedules and SOFA on behalf of Debtor. Prior to the
7 Receiver’s appointment, one of the principals of the Debtor was Mr. Michael Avenatti (“Mr.
8 Avenatti”).

9 On August 27, 2020, as Dk. No. 194, this Court entered an order granting the Trustee’s
10 application to employ Force 10 as the Estate’s electronic document manager.

11 **3. Criminal Proceedings and the Criminal Subpoenas**

12 On March 22, 2019, the United States Attorney for the Central District of California filed a
13 criminal complaint against Mr. Avenatti. The criminal complaint charged Mr. Avenatti with wire
14 fraud for wrongfully diverting to his personal use millions of dollars belonging to Debtor’s clients,
15 willfully causing the Debtor to not pay approximately \$2.4 million in payroll taxes to the IRS,
16 including \$1,279,001 in trust fund taxes that had been withheld from the Debtor’s employees’
17 paychecks, causing the Debtor to not file tax returns for the 2013 through 2017 tax years, as well as
18 bankruptcy crimes, bank fraud, and other crimes.

19 On April 4, 2019, a grand jury indicted Mr. Avenatti on 36 counts of, *inter alia*, wire fraud,
20 tax evasion, tax fraud, bank fraud, aggravated identity theft, bankruptcy crimes, perjury, and the theft
21 of millions of dollars from the Debtor’s former clients (*United States v. Avenatti*, United States
22 District Court for the Central District of California, Criminal Case No. SACR19-00061-JVS)
23 (“CACD Criminal Case”). Trial proceeded in the CACD Criminal Case for a number of weeks but
24 on August 24, 2021, the judge declared a mistrial. The current trial date for the CACD Criminal
25 Case has been re-set for May 10, 2022.

26 Mr. Avenatti has been separately charged with other crimes in New York. Specifically, there
27 is a pending criminal action against Mr. Avenatti in the United States District Court, Southern
28 District of New York, entitled *United States v. Michael Avenatti*, Case No. 1:19-cr-00373 (PGG)

1 (“Criminal Case No. 1”). Trustee is informed that judgment was entered in Criminal Case No. 1 on
2 July 15, 2021. *See* Marshack Decl., ¶11. Additionally, there is a second criminal case pending
3 against Mr. Avenatti in New York entitled *United States v. Michael Avenatti*, Case No. 1:19-cr-
4 00374 (DAB) (“Criminal Case No. 2”) (together with Criminal Case No. 1, the “NY Criminal
5 Cases”). Trustee is informed that Criminal Case No. 2 is set for trial on January 24, 2022. *See*
6 Marshack Decl., ¶12.

7 On December 20, 2021, through his counsel, Trustee received the December 20th Subpoena
8 related to Criminal Case No. 2. *See* Marshack Decl., Ex. 1, pgs. 13-15. Trustee is informed and
9 believes that Force 10 has already completed the search requested. *Id.*, ¶19. Additionally, the
10 Estate’s special litigation counsel has reviewed the results of the search and has recommended to the
11 Trustee to turnover such documents. *Id.*, ¶21.

12 Thereafter, on January 10, 2022, Trustee received another subpoena (“Avenatti Subpoena”)
13 from the Federal Defenders of New York, Inc. (“Federal Defenders”) dated January 7, 2022, on
14 behalf of Mr. Avenatti. A true and correct copy of the Avenatti Subpoena is attached to the
15 Marshack Declaration as Exhibit “3.” The Avenatti Subpoena contains requests that differ
16 substantially from the December 20th Subpoena.

17 **4. Trustee’s diligence to ensure that production is ethically and legally**
18 **appropriate**

19 The Debtor is a former law firm and the Subpoenas may seek documents that may be
20 protected by the attorney-client and other privileges. *See* Marshack Decl., Ex. 1, pgs. 13-15; Ex. 3,
21 pgs. 58-61. To address this issue, the SDNY USA Office provided Trustee with written waivers by
22 two former clients of the Debtor, Stephanie Clifford a/k/a “Stormy Daniels” and Gary Franklin, Sr.,
23 in Criminal Cases No. 1 and 2, respectively (“Attorney Client Waivers”). True and correct copies of
24 the Attorney Client Waivers are attached as Exhibits “4” and “5” to the Marshack Declaration.

25 ///

26 ///

27 ///

28 ///

1 **5. Legal Authority**

2 **A. The *Barton* Doctrine Likely Requires leave of court prior to the**
3 **issuance of the Subpoenas (or, at a minimum, the enforcement of the**
4 **Subpoenas).**

5 “Under *Barton* [*v. Barbour*, 104 U.S. 126 (1886)], plaintiffs must obtain authorization from
6 the bankruptcy court before ‘initiat[ing] an action in another forum’ against certain officers
7 appointed by the bankruptcy court for actions the officers have taken in their official capacities.” *In*
8 *re Yellowstone Mountain Club, LLC*, 841 F.3d 1090, 1094 (9th Cir. 2016), quoting *In re Crown*
9 *Vantage, Inc.*, 421 F.3d 963, 970 (9th Cir. 2005) (brackets in original). *Barton* issues are
10 jurisdictional. *Barton*, 104 U.S. at 131; *Satterfield v. Malloy*, 700 F.3d 1231, 1234 (10th Cir. 2012).
11 The *Barton* Doctrine (as it has become known) has been extended to bankruptcy trustees. *In re*
12 *Crown Vantage*, 421 F.3d at 970. A federal judicial district other than that in which a bankruptcy
13 proceeding is pending is considered “another forum” for purposes of *Barton* analyses. *In re*
14 *Yellowstone Mountain Club, LLC*, 841 F.3d at 1094.

15 Subpoenas that threaten a bankruptcy trustee with contempt of court for failure to comply
16 have been held subject to *Barton* analysis and compliance. *In re Circuit City Stores, Inc.*, 557 B.R.
17 443, 448 (E.D. Va. 2016) (finding issue of compliance with a third-party subpoena directed to a
18 court-appointed liquidating trustee “a core proceeding” for a bankruptcy court’s jurisdiction pursuant
19 to 28 U.S.C. section 157(b)(2)(A), (L) and (O).) Additionally, the propriety of whether the Trustee
20 may burden the Estate with the costs attendant to complying with the December 20th Subpoena is a
21 question that must be evaluated and authorized by this Court irrespective of what district (or
22 prosecution agency) issued them.²

23
24 ² Arguably, in the absence of this Court’s prior approval, the Subpoenas may be invalid, or in the least,
25 compliance is likely excused. Case law in the Ninth Circuit and its sibling circuits is plain that “a party must
26 first obtain leave of the bankruptcy court before it initiates an action in another forum against a bankruptcy
27 trustee or other officer appointed by a bankruptcy court for acts done in the officer’s official capacity.”
28 *Satterfield*, 700 F.3d at 1234, citing *In re Yellowstone Mountain Club, LLC*, 841 F.3d at 1094, and collecting
other authorities. *But Cf.*, *In re Media Group, LLC*, 2006 WL 6810963 (9th Cir. B.A.P. 2006) (unpublished
decision discussing sanctions liability of lawyer who issued state court subpoena to a bankruptcy trustee. *In*
re Media Group has neither been followed nor cited with approval by another court and appears to be an
outlier, yet the apparent split in authority remains.) Additionally, there may be an issue as to whether the

**B. An Order of Court Directing the Trustee to Respond to The
Subpoenas and Produce Responsive Documents While Asserting
Applicable Privileges Disposes of the Question of Whether
Production by the Trustee Was Voluntary**

To the Estate, the most expedient and financially advantageous means of dealing with the jurisdictional and privilege challenges presented by the facts here is for the Court to order Trustee to produce the documents described broadly in the Subpoenas, and authorize Trustee to use property of the Estate (i.e. producing the responsive documents). As it is not in the Estate's best interest to challenge the Subpoenas, but is in its best interest to maintain any privileges for use in current and potential litigation in which the Estate is or may find itself, a Court order to comply and produce non-privileged documents obviates the most glaring challenges the Trustee faces. Compliance with a Court order is mandatory, not discretionary.

Complying with Court orders to produce documents does not result in waiver of applicable privileges. *Transamerica Computer Co., Inc. v. International Business Machines Corp.*, 573 F.2d 646, 651 (9th Cir. 1978) ("... a disclosure of confidential material constitutes a waiver of the attorney-client privilege only if it is voluntary and not compelled, . . ."). Despite the questionable jurisdictional basis of the Subpoenas, if the Court orders the Trustee to produce documents, the Trustee's act would be predicated on this Court's order, not on the Subpoenas themselves. Any applicable privileges the Estate has will consequently be preserved for documents produced to the SDNY USA Office and to Mr. Avenatti.

Subpoenas could have been directed to the Trustee in light of the mandatory requirements of Fed. R. Crim. P. 17(c)(3) ("Subpoena for Personal or Confidential Information About a Victim. After a complaint, indictment, or information is filed, a subpoena requiring the production of personal or confidential information about a victim may be served on a third party only by court order. Before entering the order and unless there are exceptional circumstances, the court must require giving notice to the victim so that the victim can move to quash or modify the subpoena or otherwise object.") No order has been issued by the Southern District of New York (at least that is identified in the public docket) authorizing the December 20th Subpoena served on the Trustee. The Trustee here has no interest in resolving these academic issues. Nevertheless, the questionable jurisdiction underlying the Subpoenas gives rise to the quandary in which the Trustee finds himself: Voluntary production in the face of jurisdictionally infirm December 20th Subpoena may well be a prohibited act in the absence of this Court's prior approval, but more importantly, could also be a waiver of potentially applicable privileges that belong to the Estate, discussed *infra*.

1 **C. Use of Property of the Estate**

2 Under 11 U.S.C. § 363(b), a Trustee is empowered to use assets of the estate other than in the
3 ordinary course of business “after notice and a hearing.” In order to gain approval of such use the
4 Trustee must provide some “business justification” for the use, sale, or lease of Estate property. *See*
5 *In re Lionel Corp.*, 722 F.2d 1063, 1071 (2nd Cir. 1983) (*see also In re Walter*, 83 B.R. 14 (B.A.P.
6 9th Cir. 1988).

7 Here, the client files and documents requested by the Subpoenas may be considered property
8 of the Estate under the broad definition of estate property in 11 U.S.C. § 541(a), and the disclosure
9 of such documents may be considered a “use” of Estate property. Trustee submits that there is
10 sufficient business justification in complying with the December 20th Subpoena. Marshack Decl.,
11 ¶¶16-17. In light of the Attorney Client Waivers, Trustee and his special counsel do not believe there
12 is a legal or ethical reason why Trustee should not comply with the document request contained in
13 the Subpoenas. *See* Marshack Decl., ¶16. Although as explained above under the *Barton* doctrine,
14 the proponents likely should have obtained this Court’s approval before issuing the Subpoenas,
15 Trustee believes that litigating and disputing the validity of the Subpoenas has no benefit to the
16 Estate. Marshack Decl., ¶17. However, in an abundance of caution, he files this Motion in order to
17 gain approval of such use of property of the Estate. *Id.*, ¶18. As cited above, the issuance of an order
18 of the Court directing Trustee to produce documents responsive to the Subpoenas will avoid any
19 potential issues related to the attorney-client privileged nature of the documents.

20 Finally, in order to ensure full compliance with the Subpoenas, Trustee and Force 10 request
21 this Court’s approval of the payment by the SDNY USA Office (or Mr. Avenatti) to Force 10 to run
22 the various server “searches” for the requested documents. *See* Marshack Decl., ¶20. The
23 authorization of the payment by the proponents of the Subpoenas to Force 10 will curtail
24 administrative expenses. *See* Marshack Decl., ¶20. Special counsel has reviewed the search
25 production results and has recommended to Trustee to turnover the documents in response to the
26 Subpoenas pending this Court’s approval. *See* Marshack Decl., ¶21.

27 ///

28 ///

1 **6. Conclusion**

2 Based on the foregoing, Trustee submits that good cause exists for granting the Motion, and
3 respectfully requests that the Court enter an order that provides: (1) the Motion is granted;
4 (2) Trustee is ordered to take any steps necessary to produce documents responsive to the categories
5 identified in the Criminal Subpoenas; and (3) authorizing the payment by the SDNY USA Office
6 and/or Mr. Avenatti or the Federal Defenders to Force 10 for the performing the related server
7 searches for documents responsive to the Subpoenas.

8
9 Dated: January 24, 2022

MARSHACK HAYS LLP

10 By: /s/ D. Edward Hays

11 D. EDWARD HAYS

12 TINHO MANG

13 General Counsel for Richard A. Marshack,
Chapter 7 Trustee for the Bankruptcy Estate of
EAGAN AVENATTI, LLP

14
15 Dated: January ____, 2022

MURPHEY & MURPHEY PC

16 By: 

17 MATTHEW D. MURPHEY

18 MEGHAN CANTY MURPHEY

19 Special Litigation Counsel for Richard A.
Marshack, Chapter 7 Trustee

Declaration of Richard A. Marshack

I, RICHARD A. MARSHACK, say and declare as follows:

1. I am the duly appointed, qualified, and acting chapter 7 Trustee ("Trustee") for the bankruptcy estate ("Estate") of Eagan Avenatti, LLP ("Debtor").

2. Unless otherwise stated, the facts set forth in this declaration are personally known to me and if called as a witness, I could and would competently testify thereto.

3. I make this Declaration in support my Emergency Motion for order authorizing use of Property of the Estate pursuant to 11 U.S.C. § 363 ("Motion"). All terms not defined herein are used as they are defined in the Motion.

4. A true and correct copy of the December 20th Subpoena is attached as Exhibit "1."

5. A true and correct copy of the Avenatti Subpoena is attached as Exhibit "3."

6. On September 13, 2019 ("Petition Date"), Debtor filed a voluntary petition under Chapter 7 of Title 11 the United States Code and I was appointed as the Chapter 7 trustee.

7. On the same date, the Debtor filed its schedules and statement of financial affairs ("Schedules and SOFA").

8. On December 11, 2019, as Dk. No. 49, my counsel filed the First Emergency Motion to respond to the initial issuance of criminal subpoenas from the SDNY USA Office.

9. On December 19, 2019, as Dk. No. 58, the Court entered an order granting the First Emergency Motion ("First Emergency Motion Order").

10. I am informed and believe that on March 22, 2019, the United States Attorney for the Central District of California filed a criminal complaint against Mr. Avenatti.

11. I am informed and believe that Criminal Case No. 1 terminated in a judgment entered on July 15, 2021.

12. I am informed and believe that Criminal Case No. 2 is set for trial on January 24, 2022.

13. On December 20, 2021, my special counsel received the December 20th Subpoena, which I am informed is the operative subpoena.

///

1 14. I am informed and believe that the SDNY USA Office provided my special counsel
2 with written waivers by two former clients of the Debtor, Stephanie Clifford a/k/a "Stormy
3 Daniels" and Gary Franklin, Sr., in Criminal Cases No. 1 and 2, respectively ("Attorney Client
4 Waivers"). True and correct copies of the Attorney Client Waivers are attached as Exhibits "4" and
5 "5."

6 15. My special counsel has advised me that he has no cause to question the authenticity
7 of the Attorney Client Waivers.

8 16. In light of the Attorney Client Waivers, I have been advised by my special counsel
9 that he does not believe there is a legal or ethical reason why the Estate should not comply with the
10 document request contained in the December 20th Subpoena.

11 17. Although as explained above under the *Barton* doctrine, the SDNY USA Office and
12 Federal Defenders likely should have obtained this Court's approval before issuing the Subpoenas. I
13 have been advised by my special counsel that the Estate should comply with the Subpoenas.

14 18. However, in an abundance of caution, I file this instant Motion in order to gain
15 approval of such use of property of the Estate.

16 19. In order to ensure full compliance with the Subpoenas, Force 10 was obligated to run
17 various server "searches" for the requested documents.

18 20. I am informed and believe that the SDNY USA Office has agreed to pay Force 10 for
19 its time and efforts in running the searches for responsive documents to the December 20th
20 Subpoena.

21 21. I have been advised that my special counsel, Mr. Matthew Murphey, has reviewed the
22 results of Force 10's completed searches and has recommended to me that I may produce documents
23 responsive to the Subpoenas once directed to by this Court.

24 I declare under penalty of perjury that the foregoing is true and correct. Executed on January
25 24, 2022.



RICHARD A. MARSHACK

Declaration of Matthew D. Murphey

I, Matthew D. Murphey, say and declare as follows:

1. I am an attorney admitted to the bar of the United States District Court for the Central District of California. I am a partner in Burke, Williams & Sorensen and have been retained by Richard A. Marshack, the duly appointed Trustee for the bankruptcy estate ("Estate") of Eagan Avenatti, LLP ("Debtor").

2. Unless otherwise stated, the facts set forth in this declaration are personally known to me and if called as a witness, I could and would competently testify thereto.

3. I make this Declaration in support the Trustee's Emergency Motion for order authorizing use of Property of the Estate pursuant to 11 U.S.C. § 363 ("Motion"). All terms not defined herein are used as they are defined in the Motion.

4. Prior to entering private practice in California in 1998 I held various positions as a prosecutor with the Criminal Division of the San Diego Office of the City Attorney, The United States Trust Territory of the Pacific Islands (Federated States of Micronesia) and the Office of the United States Attorney for the Eastern District of Washington. I have since represented clients in state courts of appeal and federal district courts in criminal cases. I have worked on cases involving simple possession of controlled substances to complex prosecutions for interstate transportation of narcotics, as well as civil cases involving subpoenas served by and on government agencies in both state and federal cases. I have familiarized myself with the public dockets in both cases pending against Michael Avenatti in the Southern District of New York.

5. I was contacted by Mr. Robert Sobelman ("Mr. Sobelman"), the Assistant United States Attorney for the Southern District of New York on about December 13, 2021, requesting a conference call.

6. Mr. Sobelman and I spoke on December 14, 2021, wherein he indicated that he would issue the December 20th Subpoena, and that the SDNY USA Office would pay for Force 10's efforts in performing the server searches.

7. I indicated to Mr. Sobelman that the Trustee would likely require obtaining this Court's approval and would file this instant Motion.

1 8. On December 20, 2021, Mr. Sobelman served me with the December 20th Subpoena.

2 9. I have reviewed the results of Force 10's search and have recommended to the
3 Trustee that these documents are responsive to the December 20th Subpoena and that they should be
4 turned over once this Court approves this instant Motion.

5 10. The SDNY USA Office informed me that the instant Motion should be filed under
6 seal, similar to the First Emergency Motion (as defined in the Motion). However, the Court denied
7 Trustee's motion for permission to file this Motion under seal.

8 11. I was never contacted by the Federal Defenders of New York, Inc. ("Federal
9 Defenders") but I understand that a subpoena was received by the Trustee's office on January 10,
10 2022, which was dated January 7, 2022 ("Avenatti Subpoena"). The Avenatti Subpoena demands
11 documents which materially differ from the documents requested by the December 20th Subpoena. I
12 have reviewed the proposed production in response to the Avenatti Subpoena and have advised the
13 Trustee that the results of this second search are responsive to the Avenatti Subpoena.

14 12. During a hearing before this Court held on January 12, 2022, Michael Avenatti
15 individually addressed this Court. During his comments, Mr. Avenatti insinuated that I or someone
16 in my firm "shared" the Federal Defenders' subpoena directed to the Trustee with the United States
17 Attorney's Office, Southern District of New York. Mr. Avenatti identified no evidence to support
18 his allegation, and his allegation is false. Prior to the filing of this Motion, neither I nor anyone in
19 my firm shared any subpoenas with any lawyer, investigator or other individual employed by or
20 related to the United States Attorney's Office, Southern District of New York.

21
22 I declare under penalty of perjury that the foregoing is true and correct. Executed on January
23 24, 2022.

24
25 
26 MATTHEW D. MURPHEY

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EXHIBIT “1”

EXHIBIT "2"
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Court Subpoena

United States District Court
SOUTHERN DISTRICT OF NEW YORK

TO: Richard Marshack, Esq., Trustee for Eagan Avenatti LLP
c/o Matthew D. Murphey, Esq.
Murphey & Murphey, A.P.C.
120 Vantis Drive, Suite 300
Aliso Viejo, California 92656
matt@themurpheylawyers.com

GREETINGS:

WE COMMAND YOU that all and singular business and excuses being laid aside, you appear and attend before the United States District Court for the Southern District of New York, 500 Pearl Street, in the Borough of Manhattan, City of New York, New York, in the Southern District of New York, at the following date, time and place:

Appearance Date: January 24, 2022 Appearance Time: 9:00 a.m.
Appearance Place: TBD
to testify and give evidence in the following matter:
United States v. Michael Avenatti, 19 Cr. 374 (JMF)

and not to depart the Court without leave thereof, or of the United States Attorney.

PLEASE SEE ATTACHED RIDER

N.B.: Personal appearance may not be required if the requested documents are: (1) produced on or before the appearance date to Special Agent DeLeassa Penland, United States Attorney's Office, 1 St. Andrew's Plaza, New York, NY 10007. Tel: (212) 637-2522, email: deleassa.penland@usdoj.gov; and (2) accompanied by an executed copy of the attached Declaration of Custodian of Records.

Failure to attend and produce any items hereby demanded will constitute contempt of court and will subject you to civil sanctions and criminal penalties, in addition to other penalties of the Law.

DATED: New York, New York
December 20, 2021

Damian Williams
DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

Robert B. Sobelman
Robert B. Sobelman
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
Telephone: 212-637-2616



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RIDER

(Court Subpoena to Richard Marshack, Esq., Trustee for Eagan Avenatti LLP,
dated December 20, 2021)
Ref. No. 19 Cr. 374 (JMF)

Materials to be Produced:

1. Any data contained in Quickbooks or TABS databases related to Stephanie Clifford, a/k/a "Stormy Daniels."

N.B.: Personal appearance may not be required if the requested documents are: (1) produced on or before the appearance date to Special Agent DeLeassa Penland, United States Attorney's Office, 1 St. Andrew's Plaza, New York, NY 10007. Tel: (212) 637-2522, email: deleassa.penland@usdoj.gov; and (2) accompanied by an executed copy of the attached Declaration of Custodian of Records.

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Declaration of Custodian of Records

Pursuant to 28 U.S.C. § 1746, I, the undersigned, hereby declare:

My name is _____.
(name of declarant)

I am a United States citizen and I am over eighteen years of age. I am the custodian of records of the business named below, or I am otherwise qualified as a result of my position with the business named below to make this declaration.

I am in receipt of a Court Subpoena, dated December 20, 2021, and signed by Assistant United States Attorney Robert B. Sobelman, requesting specified records of the business named below. Pursuant to Rules 902(11) and 803(6) of the Federal Rules of Evidence, I hereby certify that the records provided herewith and in response to the Subpoena:

- (1) were made at or near the time of the occurrence of the matters set forth in the records, by, or from information transmitted by, a person with knowledge of those matters;
- (2) were kept in the course of regularly conducted business activity; and
- (3) were made by the regularly conducted business activity as a regular practice.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____.
(date)

(signature of declarant)

(name and title of declarant)

(name of business)

(business address)

Definitions of terms used above:

As defined in Fed. R. Evid. 803(6), "record" includes a memorandum, report, record, or data compilation, in any form, of acts, events, conditions, opinions, or diagnoses. The term, "business" as used in Fed. R. Evid. 803(6) and the above declaration includes business, institution, association, profession, occupation, and calling of every kind, whether or not conducted for profit.

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EXHIBIT “2”

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Repeat-cacb, DEFER, NOCLOSE

**U.S. Bankruptcy Court
Central District of California (Santa Ana)
Bankruptcy Petition #: 8:19-bk-13560-SC**

Assigned to: Scott C Clarkson
Chapter 7
Voluntary
Asset

Date filed: 09/13/2019
341 meeting: 10/22/2019
Deadline for filing claims: 02/10/2020
Deadline for filing claims (govt.): 03/11/2020
Deadline for objecting to discharge: 12/23/2019
Deadline for financial mgmt. course: 12/23/2019

Debtor

Eagan Avenatti, LLP
20341 SW Birch, Suite 220
Newport Beach, CA 92660
ORANGE-CA
Tax ID / EIN: 32-0210824
aka The Trial Group, LLP
aka Trial Group
aka EOA Law
aka TRG, LLP
aka Eagan O'Malley & Avenatti, LLP
aka EA LLP

represented by **Jack A. Reitman**

Landau Law LLP
2338 Manning Ave.
Los Angeles, CA 90064
310-557-0050
Email: jareitman@landaufirm.com

John P. Reitman

Landau Law LLP
2338 Manning Ave.
Los Angeles, CA 90064
310-557-0050
Fax : 310-557-0056
Email: jreitman@landaufirm.com
TERMINATED: 10/23/2019

Trustee

Richard A Marshack (TR)
Marshack Hays LLP
870 Roosevelt
Irvine, CA 92620
949-333-7777

represented by **D Edward Hays**

Marshack Hays LLP
870 Roosevelt Ave
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Tinho Mang

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Judith E Marshack

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Meghan C Murphey
Murphey & Murphey, APC
120 Vantis Dr Ste 300
Aliso Viejo, CA 92656-2677
(949) 464-4540
Fax : (562) 375-6674
Email: meghan@themurphey.com

Jack A. Reitman
(See above for address)

John P. Reitman
(See above for address)

David Wood
Marshack Hays LLP
870 Roosevelt Ave
Irvine, CA 92620
949-333-7777
Fax : 949-333-7778
Email: dwood@marshackhays.com

U.S. Trustee
United States Trustee (SA)
411 W Fourth St., Suite 7160
Santa Ana, CA 92701-4593
(714) 338-3400

Intervenor
Hrayr Shahinian
700 S. Flower St., Suite 1000
Los Angeles, CA 90017
213-410-2620

represented by **Erick Kuyلمان**
Warren Terzian LLP
700 S Flower St Ste 100
Los Angeles, CA 90017
208-869-2492
Fax : 213-410-2621
Email: erick.kuyلمان@warrenterzian.com

Filing Date	#	Docket Text
09/13/2019	<u>1</u> (76 pgs)	Chapter 7 Voluntary Petition for Non-Individuals . Fee Amount \$335 Filed by Eagan Avenatti, LLP (Reitman, John) (Entered: 09/13/2019)
09/13/2019		Receipt of Voluntary Petition (Chapter 7)(8:19-bk-13560) [misc,volp7] (335.00) Filing Fee. Receipt number 49741167. Fee amount 335.00. (re: Doc# <u>1</u>) (U.S. Treasury) (Entered: 09/13/2019)
09/13/2019		Judge Catherine E. Bauer added to case, per low number rule (19-11961-CB & 17-11961-CB). (Corona, Heidi) (Entered: 09/13/2019)
09/13/2019	<u>2</u> (17 pgs)	Addendum to voluntary petition <i>Debtor's Disclaimers and Addendum to Filed Schedules and Statement of Financial Affairs</i> Filed by Debtor Eagan Avenatti, LLP. (Reitman, Jack) (Entered: 09/13/2019)

https://ecf.cacb.uscourts.gov/cgi-bin/DktRpt.pl?114324194875211-L_1_0-1

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09/13/2019	3 (169 pgs)	Emergency motion <i>Trustee's Notice of Emergency Motion and Emergency Motion for Preliminary Injunction; Memorandum of Points and Authorities; Declarations of Jack A. Reitman and Brian Weiss; Exhibits</i> Filed by Trustee Richard A Marshack (TR) (Reitman, Jack) (Entered: 09/13/2019)
09/13/2019	4 (2 pgs)	Meeting of Creditors 341(a) meeting to be held on 10/22/2019 at 09:00 AM at RM 3-110, 411 W Fourth St., Santa Ana, CA 92701. Cert. of Financial Management due by 12/23/2019. Last day to oppose discharge or dischargeability is 12/23/2019. (Law, Tamika) Financial Management deadline terminated. Modified on 9/13/2019 (Law, Tamika). (Entered: 09/13/2019)
09/13/2019	5	Hearing Set (RE: related document(s) 3 Emergency motion filed by Trustee Richard A Marshack (TR)) The Hearing date is set for 9/17/2019 at 10:00 AM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 09/13/2019)
09/15/2019	6 (6 pgs)	BNC Certificate of Notice (RE: related document(s) 4 Meeting of Creditors Chapter 7 No Asset) No. of Notices: 110. Notice Date 09/15/2019. (Admin.) (Entered: 09/15/2019)
09/16/2019	7 (5 pgs)	Declaration re: <i>Declaration of Jack A. Reitman Re: Notice and Service of Emergency Motion for Preliminary Injunction</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 3 Emergency motion <i>Trustee's Notice of Emergency Motion and Emergency Motion for Preliminary Injunction; Memorandum of Points and Authorities; Declarations of Jack A. Reitman and Brian Weiss; Exhibits</i>). (Reitman, Jack) Warning: Item subsequently amended by docket entry no: 9 Modified on 9/16/2019 (Le, James). (Entered: 09/16/2019)
09/16/2019	8 (114 pgs)	Adversary case 8:19-ap-01186. Complaint by Richard A Marshack against Michael Avenatti, Lisa Storie-Avenatti, Avenatti & Associates APC. (Charge To Estate) FEE AMOUNT \$350.00. <i>Complaint for Avoidance and Recovery of Voidable Transfers; Preference; Declaratory Relief; Turnover; Preliminary and Permanent Injunction; Breach of Fiduciary Duty; Disallowance of Proofs of Claim; Equitable Subordination</i> Nature of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)),(12 (Recovery of money/property - 547 preference)),(11 (Recovery of money/property - 542 turnover of property)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (72 (Injunctive relief - other))(Reitman, Jack) Modified on 9/17/2019 (Le, James). (Entered: 09/16/2019)
09/16/2019	9	Notice to Filer of Correction Made/No Action Required: Other - Chapter missing from caption page. THIS ENTRY IS PROVIDED FOR FUTURE REFERENCE. (RE: related document(s) 7 Declaration filed by Trustee Richard A Marshack (TR)) (Le, James) (Entered: 09/16/2019)
09/16/2019	10 (5 pgs)	Declaration re: <i>Declaration of Jack A. Reitman Re: Notice and Service of Emergency Motion for Preliminary Injunction</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 3 Emergency motion <i>Trustee's Notice of Emergency Motion and Emergency Motion for Preliminary Injunction; Memorandum of Points and Authorities; Declarations of Jack A. Reitman and Brian Weiss; Exhibits</i>). (Reitman, Jack) (Entered: 09/16/2019)
09/17/2019	11	Hearing Held - Withdrawn (RE: related document(s) 3 Emergency motion

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		filed by Trustee Richard A Marshack (TR)) (Le, James) (Entered: 09/18/2019)
09/24/2019	12 (1 pg)	Request for courtesy Notice of Electronic Filing (NEF) Filed by Bastian, James. (Bastian, James) (Entered: 09/24/2019)
09/26/2019		Receipt of Motion Filing Fee - \$181.00 by 12. Receipt Number 80074064. (admin) (Entered: 09/26/2019)
09/26/2019	13 (82 pgs; 2 docs)	Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Eagan Avenatti LLP v Stoll, Nussbaum & Polakov, et al., Docket No: 30-2011-00483570 consolidated with 30-2013-00627604, California Superior Court for the County of Orange . Fee Amount \$181, Filed by Creditor Stoll, Nussbaum & Polakov (Attachments: # 1 Part 2) (Le, James) (Entered: 09/27/2019)
09/26/2019	14	Hearing Set (RE: related document(s) 13 Motion for Relief from Stay - ACTION IN NON-BANKRUPTCY FORUM filed by Creditor Stoll, Nussbaum & Polakov) The Hearing date is set for 11/5/2019 at 10:00 AM at Ctrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 09/27/2019)
09/30/2019	15 (1 pg)	Request for courtesy Notice of Electronic Filing (NEF) Filed by Hays, D. (Hays, D) (Entered: 09/30/2019)
09/30/2019	16 (1 pg)	Request for courtesy Notice of Electronic Filing (NEF) Filed by Wood, David. (Wood, David) (Entered: 09/30/2019)
10/02/2019	17 (24 pgs)	Application to Employ Marshack Hays LLP as General Counsel <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 10/02/2019)
10/02/2019	18 (11 pgs)	Notice of Application by Chapter 7 Trustee to Employ Marshack Hays as General Counsel <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 17 Application to Employ Marshack Hays LLP as General Counsel <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 10/02/2019)
10/18/2019	19 (22 pgs)	Application to Employ Force 10 Partners LLC as Financial Advisor <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 10/18/2019)
10/18/2019	20 (13 pgs)	Notice of Application by Chapter 7 Trustee to Employ Force 10 Partners LLC as Financial Analyst <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 19 Application to Employ Force 10 Partners LLC as Financial Advisor <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 10/18/2019)
10/21/2019	21 (40 pgs)	Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 17 Application to Employ Marshack Hays LLP as General Counsel <i>with Proof of Service</i>). (Wood, David) (Entered: 10/21/2019)
10/22/2019	22 (90 pgs)	Opposition to (related document(s): 13 Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN

https://ecf.cacb.uscourts.gov/cgi-bin/DktRpt.pl?114324194875211-L_1_0-1

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		NON-BANKRUPTCY FORUM RE: Eagan Avenatti LLP v Stoll, Nussbaum & Polakov, et al., Docket No: 30-2001-00483570 consolidated with 30-2013-00627604, Californi filed by Creditor Stoll, Nussbaum & Polakov) <i>Trustee's Opposition to Stoll Nussbaum & Polakov, PC's Motion for Relief from Stay; Declaration of John P. Reitman, Exhibits</i> Filed by Trustee Richard A Marshack (TR) (Reitman, Jack) (Entered: 10/22/2019)
10/22/2019	23 (3 pgs)	Opposition to (related document(s): 13 Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Eagan Avenatti LLP v Stoll, Nussbaum & Polakov, et al., Docket No: 30-2001-00483570 consolidated with 30-2013-00627604, Californi filed by Creditor Stoll, Nussbaum & Polakov, 22 Opposition filed by Trustee Richard A Marshack (TR)) [<i>Joinder to Trustee's Opposition to Stoll Nussbaum & Polakov, PC's Motion for Relief from Stay</i>] Filed by Interested Party Avenatti Michael (O'Dea, Ryan) (Entered: 10/22/2019)
10/23/2019	24 (2 pgs)	Order approving Chapter 7 Trustee's application to employ Marshack Hays LLP as General Counsel (BNC-PDF) (Related Doc # 17) Signed on 10/23/2019. (Le, James) (Entered: 10/23/2019)
10/25/2019	25 (3 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 24 Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 10/25/2019. (Admin.) (Entered: 10/25/2019)
10/29/2019	26 (41 pgs)	Reply to (related document(s): 22 Opposition filed by Trustee Richard A Marshack (TR)) Filed by Creditor Stoll, Nussbaum & Polakov 13 Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Eagan Avenatti LLP v Stoll, Nussbaum & Polakov, et al., Docket No: 30-2001-00483570 consolidated with 30-2013-00627604, Californi filed by Creditor Stoll, Nussbaum & Polakov, (Steinberg, Elizabeth) (Entered: 10/30/2019)
10/29/2019	27 (3 pgs)	Opposition to joinder of Michael Avenatti to Trustee's opposition to Stoll, Nussbaum and Polakov PC's motion for relief from stay (related document(s): 13 Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Eagan Avenatti LLP v Stoll, Nussbaum & Polakov, et al., Docket No: 30-2001-00483570 consolidated with 30-2013-00627604, Californi filed by Creditor Stoll, Nussbaum & Polakov) Filed by Creditor Stoll, Nussbaum & Polakov (Steinberg, Elizabeth) (Entered: 10/30/2019)
10/30/2019	28 (27 pgs)	Application to Employ Frank, Sims & Stolper LLP as Special Counsel <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Marshack, Judith) (Entered: 10/30/2019)
10/30/2019	29 (14 pgs)	Notice <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 28 Application to Employ Frank, Sims & Stolper LLP as Special Counsel <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Marshack, Judith) (Entered: 10/30/2019)
11/01/2019	30 (9 pgs)	Opposition to (related document(s): 19 Application to Employ Force 10 Partners LLC as Financial Advisor <i>with Proof of Service</i> filed by Trustee Richard A Marshack (TR)) Filed by Interested Party Avenatti Michael (O'Dea, Ryan) (Entered: 11/01/2019)

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11/01/2019	31 (33 pgs)	Request for judicial notice <i>in Support of Opposition to Chapter 7 Trustee's Motion to Employ Force 10 Partners LLC as Financial Advisor</i> Filed by Interested Party Avenatti Michael (RE: related document(s) 30 Opposition). (O'Dea, Ryan) (Entered: 11/01/2019)
11/05/2019	32	Hearing Continued (RE: related document(s) 13 Motion for Relief from Stay - ACTION IN NON-BANKRUPTCY FORUM filed by Creditor Stoll, Nussbaum & Polakov) The Hearing date is set for 11/12/2019 at 10:00 AM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 11/06/2019)
11/06/2019	33 (35 pgs)	Application to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel <i>Application of Richard A. Marshack, Chapter 7 Trustee, to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel; Declaration of John P. Reitman In Support Thereof</i> Filed by Trustee Richard A Marshack (TR) (Reitman, John) (Entered: 11/06/2019)
11/06/2019	34 (11 pgs)	Notice of motion/application <i>Notice of Application by Richard A. Marshack, Chapter 7 Trustee to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 33 Application to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel <i>Application of Richard A. Marshack, Chapter 7 Trustee, to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel; Declaration of John P. Reitman In Support Thereof</i> Filed by Trustee Richard A Marshack (TR)). (Reitman, John) (Entered: 11/06/2019)
11/06/2019	35	Hearing Set (RE: related document(s) 33 Application to Employ filed by Trustee Richard A Marshack (TR)) The Hearing date is set for 12/3/2019 at 02:30 PM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 11/06/2019)
11/07/2019	36 (2 pgs; 2 docs)	Notice of Assets filed by trustee and court's notice of possible dividend (BNC) Filed by Trustee Richard A Marshack (TR). Proofs of Claims due by 2/10/2020. Government Proof of Claim due by 3/11/2020. (Marshack (TR), Richard) (Entered: 11/07/2019)
11/07/2019	37	Meeting of Creditors Held and Concluded (Chapter 7 Asset) <i>Attended only by Brian Weiss - Receiver</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 4 Meeting of Creditors 341(a) meeting to be held on 10/22/2019 at 09:00 AM at RM 3-110, 411 W Fourth St., Santa Ana, CA 92701. Cert. of Financial Management due by 12/23/2019. Last day to oppose discharge or dischargeability is 12/23/2019. (Law, Tamika) Financial Management deadline terminated. Modified on 9/13/2019.). (Marshack (TR), Richard) (Entered: 11/07/2019)
11/09/2019	38 (5 pgs)	BNC Certificate of Notice (RE: related document(s) 36 Notice of Assets filed by trustee and court's notice of possible dividend (BNC) filed by Trustee Richard A Marshack (TR)) No. of Notices: 113. Notice Date 11/09/2019. (Admin.) (Entered: 11/09/2019)
11/12/2019	39 (4 pgs)	Stipulation By Avenatti Michael and <i>Richard A. Marshack, in his Capacity as Chapter 7 Trustee Extending Time to File Opposition and Request Hearing Re: Application to Employ Frank, Sims & Stolper LLP as Special Counsel</i> Filed by Interested Party Avenatti Michael (O'Dea, Ryan) (Entered: 11/12/2019)

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11/12/2019	40 (4 pgs)	Withdrawal re: <i>Notice of Withdrawal of Docket No. 19 re: Application by Chapter 7 Trustee to Employ Force 10 Partners LLC as Financial Advisor with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 19 Application to Employ Force 10 Partners LLC as Financial Advisor <i>with Proof of Service</i>). (Hays, D) (Entered: 11/12/2019)
11/12/2019	41	Hearing Continued (RE: related document(s) 13 Motion for Relief from Stay - ACTION IN NON-BANKRUPTCY FORUM filed by Creditor Stoll, Nussbaum & Polakov) The Hearing date is set for 12/3/2019 at 10:00 AM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 11/13/2019)
11/22/2019	42	Hearing Advanced(RE: related document(s) 33 Application to Employ filed by Trustee Richard A Marshack (TR)) The Hearing date is set for 12/3/2019 at 10:00 AM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 11/22/2019)
11/27/2019	43 (41 pgs)	Motion to Abandon REQUIRED FEE DEFERRED <i>Estate's Interest, if any, in Personal Property; Declarations of Richard A. Marshack and Brian Weiss in support; with Proof of Service.</i> Filed by Trustee Richard A Marshack (TR) (Marshack (TR), Richard) (Entered: 11/27/2019)
11/27/2019	44 (11 pgs)	Notice of Opportunity To Request a Hearing On Motion (LBR 9013-1(o)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 43 Motion to Abandon REQUIRED FEE DEFERRED <i>Estate's Interest, if any, in Personal Property; Declarations of Richard A. Marshack and Brian Weiss in support; with Proof of Service.</i> Filed by Trustee Richard A Marshack (TR) (Marshack (TR), Richard)). (Marshack (TR), Richard) (Entered: 11/27/2019)
12/03/2019	45	Hearing Continued (RE: related document(s) 13 Motion for Relief from Stay - ACTION IN NON-BANKRUPTCY FORUM filed by Creditor Stoll, Nussbaum & Polakov) The Hearing date is set for 1/28/2020 at 10:00 AM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 12/03/2019)
12/03/2019	46	Hearing Continued (RE: related document(s) 33 Application to Employ filed by Trustee Richard A Marshack (TR)) The Hearing date is set for 1/21/2020 at 10:00 AM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 12/03/2019)
12/10/2019	47 (28 pgs)	Application to Employ CONWAY MACKENZIE, INC. as FINANCIAL ANALYST <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Wood, David) (Entered: 12/10/2019)
12/10/2019	48 (12 pgs)	Notice <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 47 Application to Employ CONWAY MACKENZIE, INC. as FINANCIAL ANALYST <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Wood, David) (Entered: 12/10/2019)
12/11/2019	49 (8 pgs)	Emergency motion <i>Notice of Emergency Motion and Emergency Motion for Entry of Order Pursuant to 11 U.S.C. Section 107(b), Rule 9018 of the Federal Rules of Bankruptcy Procedure, and Rule 5003-2(c) of the Local Bankruptcy Rules Authorizing the Trustee to File Under Seal a Motion for</i>

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		<i>Order Authorizing the Trustee to Use Property of the Estate Pursuant to 11 U.S.C. Section 363; Memorandum of Points and Authorities; Declaration of Richard A. Marshack in Support; with proof of service</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 12/11/2019)
12/12/2019	50 (2 pgs)	Order granting Chapter 7 Trustee's emergency motion authorizing the Chapter 7 Trustee to file under seal a motion for authority to use property of the estate pursuant to 11 U.S.C. section 363 (Related Doc # 49) Signed on 12/12/2019 (Le, James) (Entered: 12/12/2019)
12/12/2019	51 (1 pg)	UNDER SEALED DOCUMENTS - Chapter 7 Trustee's Motion for Order: Authorizing Trustee to use property of the estate pursuant to 11 U.S.C. §363 Memorandum of Points and Authorities; Declarations of Richard A. Marshack and Matthew D. Murphey in Support. [Hearing to be set]. Filed by MARSHACK HAYS LLP and BURKE, WILLIAMS & SORESENSEN, LLP, [Proposed] Special Litigation Counsel for Richard A. Marshack, Chapter 7 Trustee. (Filed under seal pursuant to Order #50, entered on 12/12/2019). (Corona, Heidi) (Entered: 12/12/2019)
12/13/2019	52 (4 pgs)	Notice of Hearing <i>Notice of Emergency Hearing on Motion for Order Authorizing Trustee to Use Property of the Estate Pursuant to 11 U.S.C. Section 363 (Re: Dk. No. 51); Hrg. 12-18-19 at 10:00 a.m., Ctrm: 5D</i> Filed by Trustee Richard A Marshack (TR). (Hays, D) (Entered: 12/13/2019)
12/13/2019	53	Hearing Set (RE: related document(s) 51 Chapter 7 Trustee's Motion for Order: Authorizing Trustee to use property of the estate pursuant to 11 U.S.C. §363) The Hearing date is set for 12/18/2019 at 10:00 AM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 12/16/2019)
12/17/2019	54 (58 pgs)	Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 43 Motion to Abandon REQUIRED FEE DEFERRED Estate's Interest, if any, in Personal Property; Declarations of Richard A. Marshack and Brian Weiss in support; with Proof of Service.). (Marshack (TR), Richard) (Entered: 12/17/2019)
12/17/2019	55 (15 pgs)	Application to Employ BURKE, WILLIAMS & SORESENSEN, LLP as SPECIAL LITIGATION COUNSEL , <i>Including Statement of Disinterestedness of Meghan C. Murphey with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Murphey, Meghan) (Entered: 12/17/2019)
12/17/2019	56 (11 pgs)	Notice of motion/application <i>by Chapter 7 Trustee for Order Authorizing the Employment of Burke, Williams & Sorensen, LLP as Special Litigation Counsel, Including Statement of Disinterestedness of Meghan C. Murphey with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 55 Application to Employ BURKE, WILLIAMS & SORESENSEN, LLP as SPECIAL LITIGATION COUNSEL , <i>Including Statement of Disinterestedness of Meghan C. Murphey with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Murphey, Meghan) (Entered: 12/17/2019)
12/18/2019	57	Hearing Held RE: Chapter 7 Trustee's motion for order: Authorizing Trustee to use property of the estate pursuant to 11 U.S.C. Section 363

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		(Related document 51) - GRANTED; ORDER BY ATTORNEY. (Steinberg, Elizabeth) (Entered: 12/19/2019)
12/19/2019	58 (3 pgs)	Order Granting Chapter 7 Trustee's Motion Authorizing The Trustee To Use Property Of The Estate Pursuant To 11 U.S.C. Section 363. (BNC-PDF) (Related Doc # 51) Signed on 12/19/2019 (Steinberg, Elizabeth) (Entered: 12/19/2019)
12/20/2019	59 (1 pg)	Order Granting Trustee's Motion To Abandon Estate's Interest, If Any, In Personal Property. (BNC-PDF) (Related Doc # 43) Signed on 12/20/2019 (Steinberg, Elizabeth) (Entered: 12/20/2019)
12/21/2019	60 (4 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 58 Order on Generic Motion (BNC-PDF)) No. of Notices: 1. Notice Date 12/21/2019. (Admin.) (Entered: 12/21/2019)
12/22/2019	61 (2 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 59 Order on Motion to Abandon (BNC-PDF)) No. of Notices: 1. Notice Date 12/22/2019. (Admin.) (Entered: 12/22/2019)
12/23/2019	62 (59 pgs; 2 docs)	Adversary case 8:19-ap-01235. Complaint by Stoll, Nussbaum & Polakov, APC. against Eagan Avenatti, LLP . Fee Amount \$350 (Attachments: # 1 Adv. Cover Sheet) Nature of Suit: (67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)) ,(68 (Dischargeability - 523(a)(6), willful and malicious injury)) (Law, Tamika) (Entered: 12/23/2019)
12/26/2019	63 (14 pgs)	Application to Employ Bicher & Associates as Field Agent <i>Declaration of Lori J. Ensley in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Marshack (TR), Richard) (Entered: 12/26/2019)
12/27/2019	64 (4 pgs)	Notice of Appearance and Request for Notice Filed by Creditor Philip Landsman . (Mccall, Audrey) (Entered: 12/27/2019)
12/31/2019	65 (45 pgs)	Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 47 Application to Employ CONWAY MACKENZIE, INC. as FINANCIAL ANALYST <i>with Proof of Service</i>). (Wood, David) (Entered: 12/31/2019)
01/04/2020	66 (3 pgs)	Voluntary Dismissal of Motion <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 28 Application to Employ Frank, Sims & Stolper LLP as Special Counsel <i>with Proof of Service</i>). (Marshack (TR), Richard) (Entered: 01/04/2020)
01/06/2020	67 (4 pgs)	Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 55 Application to Employ BURKE, WILLIAMS & SORENSEN, LLP as SPECIAL LITIGATION COUNSEL , <i>Including Statement of Disinterestedness of Meghan C. Murphey with Proof of Service</i>). (Murphey, Meghan) (Entered: 01/06/2020)
01/06/2020	68 (35 pgs)	Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>AMENDED Declaration That No Party Requested a Hearing on Motion</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 55 Application to Employ BURKE, WILLIAMS & SORENSEN, LLP as SPECIAL LITIGATION COUNSEL , <i>Including</i>

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		<i>Statement of Disinterestedness of Meghan C. Murphey with Proof of Service</i> . (Murphey, Meghan) (Entered: 01/06/2020)
01/07/2020	69 (95 pgs)	Response to (related document(s): 33 Application to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel <i>Application of Richard A. Marshack, Chapter 7 Trustee, to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel; Declaration of John P. Reitman In Support</i> filed by Trustee Richard A Marshack (TR)) Filed by Creditors Damon Rogers, Alexis Gardner, The X-Law Group, P.C. (Marchino, Filippo) (Entered: 01/07/2020)
01/07/2020	70 (103 pgs)	Notice of Errata Filed by Creditors Alexis Gardner, Damon Rogers, The X-Law Group, P.C. (RE: related document(s) 69 Response to (related document(s): 33 Application to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel <i>Application of Richard A. Marshack, Chapter 7 Trustee, to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel; Declaration of John P. Reitman In Support</i> filed by Trustee Richard A Marshack (TR)) Filed by Creditors Damon Rogers, Alexis Gardner, The X-Law Group, P.C.). (Marchino, Filippo) (Entered: 01/07/2020)
01/07/2020	71 (98 pgs)	Response to (related document(s): 33 Application to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel <i>Application of Richard A. Marshack, Chapter 7 Trustee, to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel; Declaration of John P. Reitman In Support</i> filed by Trustee Richard A Marshack (TR)) Filed by Creditors Alexis Gardner, Damon Rogers, The X-Law Group, P.C. (Marchino, Filippo) (Entered: 01/07/2020)
01/08/2020	72 (4 pgs)	Notice [Joinder to Creditors The X-Law Group, P.C., Damon Rogers, and Alexis Gardner's Response to Application of Richard A. Marshack, Chapter 7 Trustee, to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel] Filed by Interested Party Avenatti Michael (RE: related document(s) 33 Application to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel <i>Application of Richard A. Marshack, Chapter 7 Trustee, to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel; Declaration of John P. Reitman In Support</i> Thereof Filed by Trustee Richard A Marshack (TR), 71 Response to (related document(s): 33 Application to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel <i>Application of Richard A. Marshack, Chapter 7 Trustee, to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel; Declaration of John P. Reitman In Support</i> filed by Trustee Richard A Marshack (TR)) Filed by Creditors Alexis Gardner, Damon Rogers, The X-Law Group, P.C.). (O'Dea, Ryan) (Entered: 01/08/2020)
01/13/2020	73 (1 pg)	Request for courtesy Notice of Electronic Filing (NEF) Filed by Rieder, Monica. (Rieder, Monica) (Entered: 01/13/2020)
01/14/2020	74 (19 pgs)	Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 63 Application to Employ Bicher & Associates as Field Agent <i>Declaration of Lori J. Ensley in support; with Proof of Service</i>). (Marshack (TR), Richard) (Entered: 01/14/2020)
01/14/2020	75 (11 pgs)	Reply to (related document(s): 33 Application to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel <i>Application of Richard A. Marshack, Chapter 7 Trustee, to Employ Landau Gottfried &</i>

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		<i>Berger LLP as Special Litigation Counsel; Declaration of John P. Reitman In Support filed by Trustee Richard A Marshack (TR)) Trustee's Reply In Support of Application to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel Filed by Trustee Richard A Marshack (TR) (Reitman, John) (Entered: 01/14/2020)</i>
01/21/2020	77	Hearing Held - Motion granted: Order by attorney (RE: related document(s) 33 Application to Employ filed by Trustee Richard A Marshack (TR)) (Le, James) (Entered: 01/22/2020)
01/21/2020	193 (1 pg)	Notice of Change of Address Filed by Creditor Suzy Quinn . (Le, James) (Entered: 08/24/2020)
01/22/2020	76 (7 pgs)	Notice of lodgment of Order in Bankruptcy Case re: Application of Richard A. Marshack, Chapter 7 Trustee, to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel; Declaration of John P. Reitman in Support Thereof Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 33 Application to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel Application of Richard A. Marshack, Chapter 7 Trustee, to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel; Declaration of John P. Reitman In Support Thereof Filed by Trustee Richard A Marshack (TR)). (Reitman, John) (Entered: 01/22/2020)
01/22/2020	78 (2 pgs)	Order approving Chapter 7 Trustee's application to employ Burke, Williams & Sorensen, LLP as Special Litigation Counsel (BNC-PDF) (Related Doc # 55) Signed on 1/22/2020. (Le, James) (Entered: 01/22/2020)
01/22/2020	79 (2 pgs)	Order approving Chapter 7 Trustee's application to employ Conway Mackenzie, Inc. as Financial Analyst (BNC-PDF) (Related Doc # 47) Signed on 1/22/2020. (Le, James) (Entered: 01/22/2020)
01/23/2020	80 (2 pgs)	Order granting Trustee's motion under LBR 2016-2 for authorization to employ paraprofessional - Bicher & Associates (BNC-PDF) (Related Doc # 63) Signed on 1/23/2020. (Le, James) (Entered: 01/23/2020)
01/23/2020	81 (6 pgs)	Notice of lodgment of Order in Bankruptcy Case re: Application of Richard A. Marshack, Chapter 7 Trustee, to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel; Declaration of John P. Reitman in Support Thereof Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 33 Application to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel Application of Richard A. Marshack, Chapter 7 Trustee, to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel; Declaration of John P. Reitman In Support Thereof Filed by Trustee Richard A Marshack (TR)). (Reitman, John) (Entered: 01/23/2020)
01/23/2020	82 (3 pgs)	Notice of Change of Address Notice of Attorney Change of Address or Law Firm. (Reitman, John) (Entered: 01/23/2020)
01/24/2020	83 (3 pgs)	Notice of Change of Address Notice of Attorney Change of Address or Law Firm. (Reitman, Jack) (Entered: 01/24/2020)
01/24/2020	84 (4 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 78 Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 01/24/2020. (Admin.) (Entered: 01/24/2020)

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01/24/2020	85 (4 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 79 Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 01/24/2020. (Admin.) (Entered: 01/24/2020)
01/25/2020	86 (4 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 80 Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 01/25/2020. (Admin.) (Entered: 01/25/2020)
01/27/2020	87 (3 pgs)	Notice of Change of Address <i>Notice of Attorney Change of Address or Law Firm.</i> (Rieder, Monica) (Entered: 01/27/2020)
01/28/2020	88 (9 pgs)	Declaration re: <i>Declaration of Jack A. Reitman Re: Name Change of Landau Gottfried & Berger LLP to Landau Law LLP</i> Filed by Trustee Richard A Marshack (TR). (Reitman, Jack) (Entered: 01/28/2020)
01/28/2020	89 (6 pgs)	Notice of lodgment <i>Notice of Lodgment of Order in Bankruptcy Case re: Application of Richard A. Marshack, Chapter 7 Trustee, to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel; Declaration of John P. Reitman in Support Thereof</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 33 Application to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel <i>Application of Richard A. Marshack, Chapter 7 Trustee, to Employ Landau Gottfried & Berger LLP as Special Litigation Counsel; Declaration of John P. Reitman In Support Thereof</i> Filed by Trustee Richard A Marshack (TR)). (Reitman, Jack) (Entered: 01/28/2020)
01/28/2020	90	Hearing Continued (RE: related document(s) 13 Motion for Relief from Stay - ACTION IN NON-BANKRUPTCY FORUM filed by Creditor Stoll, Nussbaum & Polakov) The Hearing date is set for 3/24/2020 at 10:00 AM at Ctrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 01/29/2020)
02/04/2020	91 (21 pgs)	Application to Employ Kellner Law Group PC as Special Collections Counsel <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) Warning: Item subsequently amended by docket entry no: 97 Modified on 2/5/2020 (Le, James). (Entered: 02/04/2020)
02/04/2020	92 (13 pgs)	Notice of Hearing <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 91 Application to Employ Kellner Law Group PC as Special Collections Counsel <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 02/04/2020)
02/04/2020	93 (16 pgs)	Motion <i>Trustee's Motion for Order Approving Subordination Agreement with Jason Frank Law, PLC with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 02/04/2020)
02/04/2020	94 (11 pgs)	Notice of Hearing <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 93 Motion <i>Trustee's Motion for Order Approving Subordination Agreement with Jason Frank Law, PLC with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 02/04/2020)
02/04/2020	95	Hearing Set (RE: related document(s) 91 Application to Employ filed by Trustee Richard A Marshack (TR)) The Hearing date is set for 2/25/2020

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		at 2:30 PM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 02/05/2020)
02/04/2020	96	Hearing Set (RE: related document(s) 93 Generic Motion filed by Trustee Richard A Marshack (TR)) The Hearing date is set for 2/25/2020 at 02:30 PM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 02/05/2020)
02/05/2020	97	Notice to Filer of Error and/or Deficient Document Richard A. Marshack's holographic signature. THE FILER IS INSTRUCTED TO FILE A NOTICE OF ERRATA WITH THE PROPER SIGNATURES. (RE: related document(s) 91 Application to Employ filed by Trustee Richard A Marshack (TR)) (Le, James) (Entered: 02/05/2020)
02/05/2020	98 (6 pgs)	Notice of Errata re: Signature Page to the Application by Chapter 7 Trustee to Employ Kellner Law Group PC as Special Collections Counsel, with Proof of Service Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 91 Application to Employ Kellner Law Group PC as Special Collections Counsel with Proof of Service Filed by Trustee Richard A Marshack (TR) (Hays, D) Warning: Item subsequently amended by docket entry no: 97 Modified on 2/5/2020.). (Hays, D) (Entered: 02/05/2020)
02/14/2020	99 (11 pgs)	Notice of Change of Time Only with Proof of Service Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 91 Application to Employ Kellner Law Group PC as Special Collections Counsel with Proof of Service Filed by Trustee Richard A Marshack (TR) (Hays, D) Warning: Item subsequently amended by docket entry no: 97 Modified on 2/5/2020., 93 Motion Trustee's Motion for Order Approving Subordination Agreement with Jason Frank Law, PLC with Proof of Service Filed by Trustee Richard A Marshack (TR)). (Wood, David) (Entered: 02/14/2020)
02/14/2020	100	Hearing Advanced (RE: related document(s) 91 Application to Employ filed by Trustee Richard A Marshack (TR), 93 Generic Motion filed by Trustee Richard A Marshack (TR)) The Hearing date is set for 2/25/2020 at 01:30 PM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 02/14/2020)
02/19/2020	101 (4 pgs)	Notice of Increased Hourly Rates Charged by Marshack Hays LLP; with Proof of Service Filed by Trustee Richard A Marshack (TR). (Wood, David) (Entered: 02/19/2020)
02/25/2020	103	Hearing Continued (RE: related document(s) 91 Application to Employ filed by Trustee Richard A Marshack (TR)) The Hearing date is set for 3/3/2020 at 01:30 PM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 02/26/2020)
02/25/2020	104	Hearing Held: Motion granted: Order by attorney (RE: related document(s) 93 Generic Motion filed by Trustee Richard A Marshack (TR)) (Le, James) (Entered: 02/26/2020)
02/26/2020	102 (2 pgs)	Order approving Chapter 7 Trustee's application to employ special litigation counsel (BNC-PDF) (Related Doc # 33) Signed on 2/26/2020. (Le, James) (Entered: 02/26/2020)
02/28/2020	105	BNC Certificate of Notice - PDF Document. (RE: related document(s) 102

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	(4 pgs)	Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 02/28/2020. (Admin.) (Entered: 02/28/2020)
03/02/2020	106 (6 pgs)	Declaration re: <i>Supplemental Declaration of Richard L. Kellner in Support with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 91 Application to Employ Kellner Law Group PC as Special Collections Counsel <i>with Proof of Service</i>). (Hays, D) (Entered: 03/02/2020)
03/03/2020	108	Hearing Held - Motion granted: Order by attorney (RE: related document(s) 91 Application to Employ filed by Trustee Richard A Marshack (TR)) (Le, James) (Entered: 03/04/2020)
03/04/2020	107 (2 pgs)	Order granting Trustee's motion to approve subordination agreement with Jason Frank Law, PLC BNC-PDF) (Related Doc # 93) Signed on 3/4/2020 (Le, James) (Entered: 03/04/2020)
03/04/2020	109 (2 pgs)	Order approving Chapter 7 Trustee's application to employ Kellner Law Group PC as Special Collections Counsel (BNC-PDF) (Related Doc # 91) Signed on 3/4/2020. (Le, James) (Entered: 03/04/2020)
03/06/2020	110 (4 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 107 Order on Generic Motion (BNC-PDF)) No. of Notices: 1. Notice Date 03/06/2020. (Admin.) (Entered: 03/06/2020)
03/06/2020	111 (4 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 109 Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 03/06/2020. (Admin.) (Entered: 03/06/2020)
03/18/2020	112 (1 pg)	Request for courtesy Notice of Electronic Filing (NEF) Filed by Naylor, Karen. (Naylor, Karen) (Entered: 03/18/2020)
03/20/2020	113 (1 pg)	Request for courtesy Notice of Electronic Filing (NEF) <i>by creditor Edward M. Ricci, P.A. and Edward M. Ricci, in individual</i> Filed by Reeder, David. (Reeder, David) (Entered: 03/20/2020)
03/23/2020	114 (5 pgs)	Stipulation By Stoll, Nussbaum & Polakov and <i>Special Litigation Counsel for Richard A. Marshack, Chapter 7 Trustee to Continue Hearing on the Motion for Relief from the Automatic Stay Under 11 U.S.C. § 362 (Action in Non-Bankruptcy Forum)</i> filed by Stoll, Nussbaum & Polakov Filed by Creditor Stoll, Nussbaum & Polakov (Naylor, Karen) (Entered: 03/23/2020)
03/23/2020	115 (2 pgs)	Order approving stipulation to continue hearing on motion for relief from the automatic stay under 11 U.S.C. section 362 (Action in Non-Bankruptcy Forum) Hearing continued to June 2, 2020 at 10:00 AM (BNC-PDF) (Related Doc # 114) Signed on 3/23/2020 (Le, James) (Entered: 03/23/2020)
03/23/2020	116	Hearing Continued (RE: related document(s) 113 Motion for Relief from Stay - ACTION IN NON-BANKRUPTCY FORUM filed by Creditor Stoll, Nussbaum & Polakov) The Hearing date is set for 6/2/2020 at 10:00 AM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 03/23/2020)
03/24/2020	117	Hearing Continued : OFF CALENDAR - ORDER CONTINUING

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		HEARING TO JUNE 2, 2020 AT 10:00 AM ENTERED ON 3/23/20. (RE: related document(s) 113 Motion for Relief from Stay - ACTION IN NON-BANKRUPTCY FORUM filed by Creditor Stoll, Nussbaum & Polakov) (Le, James) (Entered: 03/25/2020)
03/25/2020	118 (4 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 115 Stipulation and ORDER thereon (BNC-PDF)) No. of Notices: 1. Notice Date 03/25/2020. (Admin.) (Entered: 03/25/2020)
03/31/2020	119 (179 pgs)	Motion for 2004 Examination <i>Notice of Motion and Motion for Issuance of an Order Under Bankruptcy Rule 2004 Compelling the Production of Documents by and the Examination of (1) The X-Law Group, Pc, and (2) Filippo Marchino; Memorandum of Points and Authorities and Declarations of Monica Rieder and John P. Reitman in Support Thereof</i> Filed by Trustee Richard A Marshack (TR) (Reitman, John) (Entered: 03/31/2020)
03/31/2020	120	Hearing Set (RE: related document(s) 119 Motion for Examination filed by Trustee Richard A Marshack (TR)) The Hearing date is set for 4/28/2020 at 02:30 PM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 03/31/2020)
04/01/2020	121 (1 pg)	Request for courtesy Notice of Electronic Filing (NEF) Filed by Sanders, Nanette. (Sanders, Nanette) (Entered: 04/01/2020)
04/14/2020	122 (26 pgs)	Adversary case 8:20-ap-01049. Complaint by Richard A. Marshack against Aledmi, LLC, Alan Chaffee, Edwin Spaunhurst, Michael White, Lisa Hallmon. (Charge To Estate) Fee Amount: \$350.00. <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other)) (Reitman, Jack) Modified on 4/15/2020 (Le, James). (Entered: 04/14/2020)
04/14/2020	123 (30 pgs)	Adversary case 8:20-ap-01050. Complaint by Richard A. Marshack against Alki Bakery, Inc.. (Charge To Estate). <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other)) (Reitman, Jack) (Entered: 04/14/2020)
04/14/2020	124 (27 pgs)	Adversary case 8:20-ap-01051. Complaint by Richard A. Marshack against Robert Faieta dba Competition Motorsports. (Charge To Estate). <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other)) (Reitman, Jack) (Entered: 04/14/2020)
04/14/2020	125 (32 pgs)	Adversary case 8:20-ap-01052. Complaint by Richard A. Marshack against Foster Garvey PC, as successor-in-interest to Foster Pepper PLLC. (Charge To Estate). <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other)) (Reitman, Jack) (Entered: 04/14/2020)

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04/15/2020	126 (4 pgs)	Notice <i>NOTICE OF VOLUNTARY DISMISSAL OF MOTION FOR ISSUANCE OF AN ORDER UNDER BANKRUPTCY RULE 2004 COMPELLING THE PRODUCTION OF DOCUMENTS BY AND THE EXAMINATION OF (1) THE X-LAW GROUP, PC, AND (2) FILIPPO MARCHINO WITHOUT PREJUDICE</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 119 Motion for 2004 Examination Notice of Motion and Motion for Issuance of an Order Under Bankruptcy Rule 2004 Compelling the Production of Documents by and the Examination of (1) The X-Law Group, Pc, and (2) Filippo Marchino; Memorandum of Points and Authorities and Declarations of Monica Rieder and John P. Reitman in Support Thereof Filed by Trustee Richard A Marshack (TR)). (Reitman, Jack) (Entered: 04/15/2020)
04/21/2020	127 (29 pgs)	Adversary case 8:20-ap-01058. Complaint by Richard A Marshack against Dillanos Coffee Roasters, Inc.. (Charge To Estate)Fee Amount \$350.00. <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other)) (Reitman, Jack) Modified on 4/21/2020 (Le, James). (Entered: 04/21/2020)
04/21/2020	128 (25 pgs)	Adversary case 8:20-ap-01059. Complaint by Richard A. Marshack against Eisenhower Carlson PLLC. (Charge To Estate)Fee Amount \$350.00. <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other)) (Reitman, Jack) Modified on 4/21/2020 (Le, James). (Entered: 04/21/2020)
04/21/2020	129 (29 pgs)	Adversary case 8:20-ap-01060. Complaint by Richard A. Marshack against Gallo Builders, Inc.. (Charge To Estate) Fee Amount \$350.00. <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other)) (Reitman, Jack) Modified on 4/21/2020 (Le, James). (Entered: 04/21/2020)
04/21/2020	130 (24 pgs)	Adversary case 8:20-ap-01061. Complaint by Richard A. Marshack against Daimler Trucks North America LLC. (Charge To Estate) Fee Amount \$350.00. <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other)) (Reitman, Jack) Modified on 4/21/2020 (Le, James). (Entered: 04/21/2020)
04/28/2020	131	Hearing Held: OFF CALENDAR - NOTICE OF VOLUNTARY DISMISSAL OF MOTION FILED 4/15/20. (RE: related document(s) 119 Motion for Examination filed by Trustee Richard A Marshack (TR)) (Le, James) (Entered: 04/29/2020)
05/01/2020	132 (31 pgs)	Adversary case 8:20-ap-01068. Complaint by Richard A. Marshack against Silver Star Sounds & Communications, Inc. (Charge To Estate) Fee Amount \$350.00. <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of

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		money/property - other)) (Reitman, Jack) Modified on 5/1/2020 (Le, James). (Entered: 05/01/2020)
05/01/2020	133 (29 pgs)	Adversary case 8:20-ap-01069. Complaint by Richard A. Marshack against Trackside Performance, LLC. (Charge To Estate) Fee Amount \$350.00. <i>Complaint for Avoidance and Recovery of Voidable Transfer</i> Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other)) (Reitman, Jack) Modified on 5/1/2020 (Le, James). (Entered: 05/01/2020)
05/01/2020	134 (42 pgs)	Adversary case 8:20-ap-01071. Complaint by Richard A. Marshack against Vincent Builders, Inc.. (Charge To Estate) Fee Amount \$350.00. <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other)) (Reitman, Jack) Modified on 5/1/2020 (Le, James). (Entered: 05/01/2020)
05/06/2020	135 (5 pgs)	Notice of Change of Address <i>Notice of Attorney Change of Address or Law Firm</i> Filed by Creditor Edward M. Ricci, P.A.. (Reeder, David) (Entered: 05/06/2020)
05/15/2020	136 (115 pgs)	Motion to Allow Claim 20 <i>Declaration of Richard A. Marshack in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 05/15/2020)
05/15/2020	137 (13 pgs)	Notice of Hearing <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 136 Motion to Allow Claim 20 <i>Declaration of Richard A. Marshack in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 05/15/2020)
05/15/2020	138 (17 pgs)	Application to Employ Force 10 Partners LLC as Electronic Document Manager <i>Declaration of Brian Weiss in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 05/15/2020)
05/15/2020	139 (13 pgs)	Notice of Hearing <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 138 Application to Employ Force 10 Partners LLC as Electronic Document Manager <i>Declaration of Brian Weiss in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 05/15/2020)
05/15/2020	140	Hearing Set (RE: related document(s) 136 Motion to Allow Claims filed by Trustee Richard A Marshack (TR)) The Hearing date is set for 6/9/2020 at 02:30 PM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 05/18/2020)
05/15/2020	141	Hearing Set (RE: related document(s) 138 Application to Employ filed by Trustee Richard A Marshack (TR)) The Hearing date is set for 6/9/2020 at 02:30 PM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 05/18/2020)
05/19/2020	142 (18 pgs)	Adversary case 8:20-ap-01086. Complaint by Richard A. Marshack, Chapter 7 Trustee for Eagan Avenatti, LLP against The X-Law Group, PC,

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		a professional corporation, Filippo Marchino, an individual, Elba Hernandez, individually and as personal representative and successor in interest to Andres Ramirez, deceased, Young Blue LLC, a limited liability company, Sandy Le, individually and on behalf of Tina Ngan Le, decedent. (Charge To Estate) Fee Amount: \$350.00. <i>Complaint for Preliminary Injunction, Declaratory Judgment, and Further Relief</i> Nature of Suit: (72 (Injunctive relief - other)), (91 (Declaratory judgment)) (Reitman, John) Modified on 5/19/2020 (Le, James). (Entered: 05/19/2020)
05/20/2020	143 (3 pgs)	Request for special notice <i>with Proof of Service</i> Filed by Interested Party Eisenhower Carlson PLLC. (Casselberry, Steven) (Entered: 05/20/2020)
05/28/2020	144 (5 pgs)	Objection (related document(s): 136 Motion to Allow Claim 20 Declaration of Richard A. Marshack in support; with Proof of Service filed by Trustee Richard A Marshack (TR)) [Objection to Chapter 7 Trustee's Motion for Allowance of Administrative Expense Claim of Brian Weiss, Former Receiver] Filed by Interested Party Avenatti Michael (O'Dea, Ryan) (Entered: 05/28/2020)
05/28/2020	145 (6 pgs)	Objection (related document(s): 138 Application to Employ Force 10 Partners LLC as Electronic Document Manager Declaration of Brian Weiss in support; with Proof of Service filed by Trustee Richard A Marshack (TR)) Filed by Interested Party Avenatti Michael (O'Dea, Ryan) (Entered: 05/28/2020)
05/29/2020	146 (6 pgs)	Stipulation By Stoll, Nussbaum & Polakov and Special Litigation Counsel for Richard A. Marshack, Chapter 7 Trustee -- Second Stipulation to Continue Hearing on the Motion for Relief from the Automatic Stay Under 11 U.S.C. § 362 (Action in Non-Bankruptcy Forum) filed by Stoll, Nussbaum & Polakov Filed by Creditor Stoll, Nussbaum & Polakov (Naylor, Karen) (Entered: 05/29/2020)
06/01/2020	147 (2 pgs)	Order approving stipulation to continue hearing on Stoll, Nussbam & Polakov's motion for relief from the automatic stay under 11 U.S.C. section 362 (Action in Non-Bankruptcy Forum) Hearing continued to August 4, 2020 at 10:00 AM (BNC-PDF) (Related Doc # 146) Signed on 6/1/2020 (Le, James) (Entered: 06/01/2020)
06/01/2020	148	Hearing Continued (RE: related document(s) 13 Motion for Relief from Stay - ACTION IN NON-BANKRUPTCY FORUM filed by Creditor Stoll, Nussbaum & Polakov) The Hearing date is set for 8/4/2020 at 10:00 AM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 06/01/2020)
06/02/2020	149 (26 pgs)	Reply to (related document(s): 145 Objection filed by Interested Party Avenatti Michael) Reply in Support of Trustee's Application to Employ Force 10 Partners, LLC as Estate's Electronic Records Manager with Proof of Service Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 06/02/2020)
06/02/2020	150 (59 pgs)	Reply to (related document(s): 144 Objection filed by Interested Party Avenatti Michael) Reply in Support of Trustee's Motion for Allowance of Administrative Priority Expense with Proof of Service Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 06/02/2020)
06/02/2020	151	Motion Motion of Creditors Edward M. Ricci, P.A. And Edward M. Ricci,

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	(14 pgs)	<i>Esq., an individual, for an order deeming proof of claim no. 38 to have been timely filed</i> Filed by Creditor Edward M. Ricci, P.A. (Reeder, David) Warning: Item subsequently amended by docket entry no: 154 Modified on 6/3/2020 (Le, James). (Entered: 06/02/2020)
06/02/2020	152 (45 pgs; 5 docs)	Declaration re: <i>Declaration of Edward M. Ricci in support of Motion of Creditors Edward M. Ricci, P.A. And Edward M. Ricci, Esq., an individual, for an order deeming proof of claim no. 38 to have been timely filed</i> Filed by Creditor Edward M. Ricci, P.A. (RE: related document(s) 151 Motion <i>Motion of Creditors Edward m. Ricci, P.A. And Edward M. Ricci, Esq., an individual, for an order deeming proof of claim no. 38 to have been timely filed</i>). (Attachments: # 1 Exhibit Exhibits 1-4 # 2 Exhibit Exhibit 5 # 3 Exhibit Exhibit 6 # 4 Exhibit Exhibit 7) (Reeder, David) Warning: Item subsequently amended by docket entry no: 154 Modified on 6/3/2020 (Le, James). (Entered: 06/02/2020)
06/02/2020	153 (6 pgs)	Notice of Hearing <i>Notice of Motion of Creditors Edward M. Ricci, P.A. And Edward M. Ricci, Esq., an individual, for an order deeming proof of claim no. 38 to have been timely filed</i> Filed by Creditor Edward M. Ricci, P.A. (RE: related document(s) 151 Motion <i>Motion of Creditors Edward M. Ricci, P.A. And Edward M. Ricci, Esq., an individual, for an order deeming proof of claim no. 38 to have been timely filed</i> Filed by Creditor Edward M. Ricci, P.A.). (Reeder, David) Warning: Item subsequently amended by docket entry no: 154 Modified on 6/3/2020 (Le, James). (Entered: 06/02/2020)
06/02/2020	155	Hearing Set (RE: related document(s) 151 Generic Motion filed by Creditor Edward M. Ricci, P.A.) The Hearing date is set for 6/23/2020 at 02:30 PM at Crtrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 06/03/2020)
06/02/2020	156	Hearing Continued: OFF CALENDAR - ORDER CONTINUING HEARING TO AUGUST 4, 2020 AT 10:00 AM ENTERED ON 6/1/2020. (RE: related document(s) 13 Motion for Relief from Stay - ACTION IN NON-BANKRUPTCY FORUM filed by Creditor Stoll, Nussbaum & Polakov) (Le, James) (Entered: 06/03/2020)
06/03/2020	154	Notice to Filer of Correction Made/No Action Required: Other - Do not use all caps in the docket entry text. The court will correct the docket entries. THIS ENTRY IS PROVIDED FOR FUTURE REFERENCE. (RE: related document(s) 151 Generic Motion filed by Creditor Edward M. Ricci, P.A., 152 Declaration filed by Creditor Edward M. Ricci, P.A., 153 Notice of Hearing filed by Creditor Edward M. Ricci, P.A.) (Le, James) (Entered: 06/03/2020)
06/03/2020	157 (4 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 147 Stipulation and ORDER thereon (BNC-PDF)) No. of Notices: 1. Notice Date 06/03/2020. (Admin.) (Entered: 06/03/2020)
06/09/2020	158 (5 pgs)	Reply to (related document(s): 151 Motion <i>MOTION OF CREDITORS EDWARD M. RICCI, P.A. AND EDWARD M. RICCI, ESQ., AN INDIVIDUAL, FOR AN ORDER DEEMING PROOF OF CLAIM NO. 38 TO HAVE BEEN TIMELY FILED</i> filed by Creditor Edward M. Ricci, P.A.) <i>Trustee's Response to Motion of Creditors Edward M. Ricci, P.A. and Edward M. Ricci, Esq., an Individual, for an Order Deeming Proof of Claim No. 38 to Have Been Timely Filed with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 06/09/2020)

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06/09/2020	159	Hearing Held: Motion granted - Order by Attorney (RE: related document(s) 136 Motion to Allow Claims filed by Trustee Richard A Marshack (TR)) (Le, James) (Entered: 06/10/2020)
06/09/2020	160	Hearing Held - Motion denied: Order by Attorney (RE: related document(s) 138 Application to Employ filed by Trustee Richard A Marshack (TR)) (Le, James) (Entered: 06/10/2020)
06/16/2020	161 (9 pgs; 2 docs)	Reply to (related document(s): 151 Motion <i>MOTION OF CREDITORS EDWARD M. RICCI, P.A. AND EDWARD M. RICCI, ESQ., AN INDIVIDUAL, FOR AN ORDER DEEMING PROOF OF CLAIM NO. 38 TO HAVE BEEN TIMELY FILED</i> filed by Creditor Edward M. Ricci, P.A.) <i>REPLY OF MOVING PARTIES TO RESPONSE OF TRUSTEE TO MOTION OF CREDITORS EDWARD M. RICCI, P.A. AND EDWARD M. RICCI, ESQ., AN INDIVIDUAL, FOR AN ORDER DEEMING PROOF OF CLAIM NO. 38 TO HAVE BEEN TIMELY FILED</i> Filed by Creditor Edward M. Ricci, P.A. (Attachments: # 1 Exhibit Exhibit 1) (Reeder, David) (Entered: 06/16/2020)
06/18/2020	162 (1 pg)	Request for courtesy Notice of Electronic Filing (NEF) Filed by Ramlo, Kurt. (Ramlo, Kurt) (Entered: 06/18/2020)
06/18/2020	163 (7 pgs)	Notice of lodgment of <i>Order Denying Application by Chapter 7 Trustee to use Estate Property Under Section 363(B) to Retain Force 10 Partners LLC as Electronic Document Manager; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 138 Application to Employ Force 10 Partners LLC as Electronic Document Manager <i>Declaration of Brian Weiss in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 06/18/2020)
06/18/2020	164 (7 pgs)	Notice of lodgment of <i>Order Granting Motion for Allowance of Administrative Expense Claim for Debtor's Prepetition Receiver; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 136 Motion to Allow Claim 20 <i>Declaration of Richard A. Marshack in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 06/18/2020)
06/19/2020	165 (7 pgs)	Notice <i>Notice of Proof of Claim for Creditor Gregory Barela</i> Filed by Trustee Richard A Marshack (TR). (Reitman, Jack) WARNING: DOCUMENT SUBSEQUENTLY AMENDED BY DOCKET ENTRY NUMBER 166 Modified on 6/19/2020 (Steinberg, Elizabeth). (Entered: 06/19/2020)
06/19/2020	166	Notice to Filer of Error and/or Deficient Document Incorrect docket event was used to file this document. THE FILER IS INSTRUCTED TO RE-FILE THE DOCUMENT USING USING THE CLAIM MODULE. (RE: related document(s) 165 Notice filed by Trustee Richard A Marshack (TR)) (Steinberg, Elizabeth) (Entered: 06/19/2020)
06/22/2020	167 (2 pgs)	Order granting Chapter 7 Trustee's motion for allowance of administrative expense claim for Debtor's prepetition receiver (Claim No. 20) (BNC-PDF) (Related Doc # 136) Signed on 6/22/2020. (Le, James) (Entered: 06/22/2020)
06/22/2020	168 (2 pgs)	Order denying Chapter 7 Trustee's application to use Estate Property under section 363(B) to retain Force 10 Partners LLC as Electronic Document

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		Manager (BNC-PDF) (Related Doc # 138) Signed on 6/22/2020. (Le, James) (Entered: 06/22/2020)
06/23/2020	171	Hearing Held: Motion granted - Order by attorney (RE: related document(s) 151 Generic Motion filed by Creditor Edward M. Ricci, P.A.) (Le, James) (Entered: 06/24/2020)
06/24/2020	169 (24 pgs)	Application to Employ Force Ten Partners LLC as Document Manager <i>Declaration of Brian Weiss in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 06/24/2020)
06/24/2020	170 (14 pgs)	Notice of Hearing <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 169 Application to Employ Force Ten Partners LLC as Document Manager <i>Declaration of Brian Weiss in support; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 06/24/2020)
06/24/2020	172 (4 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 167 Order on Motion to Allow Claims (BNC-PDF)) No. of Notices: 1. Notice Date 06/24/2020. (Admin.) (Entered: 06/24/2020)
06/24/2020	173 (4 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 168 Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 06/24/2020. (Admin.) (Entered: 06/24/2020)
06/24/2020	174	Hearing Set (RE: related document(s) 169 Application to Employ filed by Trustee Richard A Marshack (TR)) The Hearing date is set for 7/21/2020 at 02:30 PM at Ctrrm 5D, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Catherine E. Bauer (Le, James) (Entered: 06/25/2020)
06/25/2020	175 (7 pgs)	Notice of lodgment <i>Notice Of Lodgment Of Order In Bankruptcy Case Re: Motion Of Creditors Edward M. Ricci, P.A. And Edward M. Ricci, Esq., An Individual, For An Order Deeming Proof Of Claim No. 38 To Have Been Timely Filed</i> Filed by Creditor Edward M. Ricci, P.A. (RE: related document(s) 151 Motion <i>Motion of Creditors Edward M. Ricci, P.A. And Edward M. Ricci, Esq., an individual, for an order deeming proof of claim no. 38 to have been timely filed</i> Filed by Creditor Edward M. Ricci, P.A. (Reeder, David) Warning: Item subsequently amended by docket entry no: 154 Modified on 6/3/2020.). (Reeder, David) (Entered: 06/25/2020)
07/02/2020	176 (2 pgs)	Order granting Creditor's motion to deem proof of claim #38 to have been timely filed (BNC-PDF) (Related Doc # 151) Signed on 7/2/2020 (Le, James) (Entered: 07/02/2020)
07/04/2020	177 (4 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 176 Order on Generic Motion (BNC-PDF)) No. of Notices: 1. Notice Date 07/04/2020. (Admin.) (Entered: 07/04/2020)
07/07/2020	178 (6 pgs)	Objection (related document(s): 169 Application to Employ Force Ten Partners LLC as Document Manager <i>Declaration of Brian Weiss in support; with Proof of Service</i> filed by Trustee Richard A Marshack (TR)) <i>with Proof of Service</i> Filed by Interested Party Avenatti Michael (O'Dea, Ryan) (Entered: 07/07/2020)
07/07/2020	179 (16 pgs)	Stipulation By Richard A Marshack (TR) and <i>Geoffrey E. Johnson, Debtor's former client for order authorizing Trustee to Turnover Client Files to Debtor's Former Client Geoffrey E. Johnson with Proof of Service</i>

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		Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 07/07/2020)
07/13/2020	180 (1 pg)	Order approving stipulation authorizing Trustee's to turn over client files to Debtor's former client, Geoffrey E. Johnson (BNC-PDF) (Related Doc # 179) Signed on 7/13/2020 (Le, James) (Entered: 07/13/2020)
07/15/2020	181 (3 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 180 Stipulation and ORDER thereon (BNC-PDF)) No. of Notices: 1. Notice Date 07/15/2020. (Admin.) (Entered: 07/15/2020)
07/21/2020	182	Hearing Continued: Continued hearing date to be determined in September (RE: related document(s) 169 Application to Employ filed by Trustee Richard A Marshack (TR)) (Le, James) (Entered: 07/22/2020)
07/30/2020	183 (6 pgs)	Stipulation By Stoll, Nussbaum & Polakov and Robert J. Stoll, Jr. and Richard A. Marshack to Continue Hearing on Motion for Relief From The Automatic Stay Under 11 U.S.C. Section 362 (Action in Non-Bankruptcy Forum) Filed by Stoll, Nussbaum & Polakov Filed by Creditor Stoll, Nussbaum & Polakov (Naylor, Karen) (Entered: 07/30/2020)
07/31/2020	184	In accordance with the Administrative Order 20-07 dated 7/15/20, this case is hereby reassigned from Judge Catherine E. Bauer to Judge Scott C Clarkson. (Le, James) (Entered: 07/31/2020)
07/31/2020	185 (2 pgs)	Order Approving Third Stipulation To Continue Hearing On The Motion For Relief From The Automatic Stay Under 11 U.S.C. Section 362 (Action In Non-Bankruptcy Forum) Filed By Stoll, Nussbaum & Polakov. IT IS ORDERED: Th Hearing On The Motion For Relief From The Automatic Stay Is Continued To September 24, 2020 At 10:00 A.M. In Courtroom 5C, Located At 411 West Fourth Street, Santa Ana, CA 92701. (BNC-PDF) (Related Doc # 183) Signed on 7/31/2020 (Bolte, Nickie) (Entered: 07/31/2020)
08/02/2020	186 (4 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 185 ORDER to continue/reschedule hearing (BNC-PDF)) No. of Notices: 1. Notice Date 08/02/2020. (Admin.) (Entered: 08/02/2020)
08/04/2020	187 (32 pgs)	Motion to Approve Compromise Under Rule 9019 Trustee's Notice of Motion and Motion for Approval of Compromise with Robert Stoll Jr. and Stoll Nussbaum & Polakov, APC; Memorandum of Points and Authorities and Declarations of John P. Retiman and Richard A. Marshack in Support Filed by Trustee Richard A Marshack (TR) (Reitman, John) (Entered: 08/04/2020)
08/04/2020	188	Hearing Set (RE: related document(s) 187 Trustee's Motion For Approval Of Compromise With Robert Stoll Jr. And Stoll Nussbaum & Polakov, APC filed by Trustee Richard A Marshack (TR)) The Hearing date is set for 9/23/2020 at 11:00 AM at Crtrm 5C, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 08/04/2020)
08/07/2020	189 (1 pg)	Order Setting Hearing On Application By Chapter 7 Trustee To Retain ForceTen Partners, LLC As Electronic Document Manger, Filed June 24, 2020, (Docket Number 169) For Hearing On August 19, 2020 At 11:00 A.M. In Courtroom 5C - Virtual. (BNC-PDF) Signed on 8/7/2020 (RE:

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		related document(s) 169 Application to Employ filed by Trustee Richard A Marshack (TR)). (Bolte, Nickie) (Entered: 08/07/2020)
08/07/2020	190	Hearing Set (RE: related document(s) 169 Application By Chapter 7 Trustee To Retain Force TenPartners LLC As Electronic Document Manger filed by Trustee Richard A Marshack (TR)) The Hearing date is set for 8/19/2020 at 11:00 AM at Crtrm 5C - Virtual, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 08/07/2020)
08/09/2020	191 (3 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 189 Order (Generic) (BNC-PDF)) No. of Notices: 1. Notice Date 08/09/2020. (Admin.) (Entered: 08/09/2020)
08/19/2020	192	Hearing Held On Motion (RE: related document(s) 169 : Application By Chapter 7 Trustee To Retain Force Ten Partners LLC As Electronic Document Manager filed by Trustee Richard A Marshack (TR)) - MOTION GRANTED - (Bolte, Nickie) (Entered: 08/21/2020)
08/27/2020	194 (7 pgs)	Order Granting Application By Chapter 7 Trustee To Retain Force 10 Partners LLC As Electronic Document Manager (SEE ORDER FOR FURTHER RULING) (BNC-PDF) (Related Doc # 169) Signed on 8/27/2020. (Bolte, Nickie) (Entered: 08/27/2020)
08/29/2020	195 (9 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 194 Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 08/29/2020. (Admin.) (Entered: 08/29/2020)
09/09/2020	196 (7 pgs)	Opposition to (related document(s): 187 Motion to Approve Compromise Under Rule 9019 <i>Trustee's Notice of Motion and Motion for Approval of Compromise with Robert Stoll Jr. and Stoll Nussbaum & Polakov, APC; Memorandum of Points and Authorities and Declarations of John P. Retiman and R filed by Trustee Richard A Marshack (TR)) Filed by Interested Party Avenatti Michael (O'Dea, Ryan) - Warning: See docket entry no.: 197 for corrections - Modified on 9/10/2020 (Bolte, Nickie). (Entered: 09/09/2020)</i>
09/10/2020	197	Notice to Filer of Error and/or Deficient Document Incorrect Case Number Format. THE FILER IS INSTRUCTED TO FILE A NOTICE OF ERRATA WITH THE PROPER CASE NUMBER FORMAT, WHICH IS: 8:19-bk-13560-SC. (RE: related document(s) 196 Opposition filed by Interested Party Avenatti Michael) (Bolte, Nickie) (Entered: 09/10/2020)
09/11/2020	198 (4 pgs)	Errata [Notice of Errata Re Opposition to Trustee's Motion for Approval of Compromise with Robert Stoll Jr. and Stoll Nussbaum & Polakov, APC] Filed by Interested Party Avenatti Michael (RE: related document(s) 196 Opposition, 197 Notice to Filer of Error and/or Deficient Document). (O'Dea, Ryan) (Entered: 09/11/2020)
09/16/2020	199 (6 pgs)	Stipulation By Stoll, Nussbaum & Polakov and <i>Robert J. Stoll, Jr. and Richard A. Marshack to Continue Hearing on Motion for Relief from the Automatic Stay Under 11 U.S.C. Section 362 (Action in Non-Bankruptcy Forum)</i> Filed by Creditor Stoll, Nussbaum & Polakov (Naylor, Karen) (Entered: 09/16/2020)
09/16/2020	200	Order Approving Fourth Stipulation To Continue Hearing On The Motion

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	(2 pgs)	For Relief From The Automatic Stay Under 11 U.S.C. Section 362 (Action In Non-Bankruptcy Forum) Filed By Stoll, Nussbaum & Polakov To December 17, 2020 At 10:00 A.M. In Courtroom 5C, Located At 411 West Fourth Street, Santa Ana, CA 92701. (BNC-PDF) (Related Doc # 199) Signed on 9/16/2020 (Bolte, Nickie) (Entered: 09/16/2020)
09/16/2020	201 (19 pgs)	Reply to (related document(s): 187 Motion to Approve Compromise Under Rule 9019 <i>Trustee's Notice of Motion and Motion for Approval of Compromise with Robert Stoll Jr. and Stoll Nussbaum & Polakov, APC; Memorandum of Points and Authorities and Declarations of John P. Reitman and R filed by Trustee Richard A Marshack (TR)) Reply in Support of Trustee's Motion for Approval of Compromise with Robert Stoll, Jr. and Stoll Nussbaum & Polakov, APC Filed by Trustee Richard A Marshack (TR) (Reitman, John) (Entered: 09/16/2020)</i>
09/16/2020	202 (492 pgs)	Declaration re: <i>Supplemental Declaration of John P. Reitman in Support of Reply in Support of Trustee's Motion for Approval of Compromise with Robert Stoll, Jr. and Stoll Nussbaum & Polakov, APC</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 201 Reply). (Reitman, John) (Entered: 09/16/2020)
09/16/2020	203 (4 pgs)	Reply to (related document(s): 201 Reply filed by Trustee Richard A Marshack (TR)) <i>Joinder in Chapter 7 Trustee's Reply in Support of Motion for Approval of Compromise with Robert Stoll, Jr. and Stoll Nussbaum & Polakov, APC [Docket No. 201]</i> Filed by Creditor Stoll, Nussbaum & Polakov (Naylor, Karen) (Entered: 09/16/2020)
09/19/2020	204 (4 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 200 ORDER to continue/reschedule hearing (BNC-PDF)) No. of Notices: 1. Notice Date 09/19/2020. (Admin.) (Entered: 09/19/2020)
09/23/2020	205 (18 pgs)	Application to Employ MURPHEY & MURPHEY, APC as Special Litigation Counsel <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Murphey, Meghan) (Entered: 09/23/2020)
09/23/2020	206 (13 pgs)	Notice of Hearing <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 205 Application to Employ MURPHEY & MURPHEY, APC as Special Litigation Counsel <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Murphey, Meghan) (Entered: 09/23/2020)
09/23/2020	207	Hearing Continued On Motion (RE: related document(s) 187 Motion For Approval Of Compromise With Robert Stoll Jr. And Stoll Nussbaum & Polakov, APC filed by Trustee Richard A Marshack (TR)) HEARING ON MOTION CONTINUED TO OCTOBER 21, 2020 AT 11:00 A.M. IN COURTROOM 5C, LOCATED AT 411 WEST FOURTH STREET, SANTA ANA, CA 92701. REPLY DUE OCTOBER 14, 2020. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 09/28/2020)
09/24/2020	208	Hearing Continued On Motion (RE: related document(s) 13 Motion for Relief from Stay - ACTION IN NON-BANKRUPTCY FORUM RE: Case Name: Eagan Avenatti LLP v. Stoll, Nussbaum & Polakov, et al.; Docket No: 30-2011-00483570 Consolidated With 30-2013-00627604; Pending In: California Superior Court For The County Of Orange - filed by Creditor Stoll, Nussbaum & Polakov). HEARING ON MOTION CONTINUED TO DECEMBER 17, 2020 AT 10:00 A.M. IN COURTROOM 5C, LOCATED AT 411 WEST FOURTH STREET, SANTA ANA, CA 92701 PER ORDER APPROVING FOURTH

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		STIPULATION TO CONTINUE HEARING ON MOTION ENTERED FOR RELIEF FROM THE AUTOMATIC STAY 9-16-2020 - (DOCKET NO. 200) The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 09/29/2020)
10/08/2020	209 (8 pgs)	Transcript regarding Hearing Held 09/23/20 RE: CONT'D STATUS CONFERENCE HEARING RE: SECOND AMENDED COMPLAINT FOR AVOIDANCE AND RECOVERY OF VOIDABLE TRANSFERS. Remote electronic access to the transcript is restricted until 01/6/2021. The transcript may be viewed at the Bankruptcy Court Clerk's Office on a public terminal or purchased through the Transcription Service Provider before the transcript access restriction has ended. [TRANSCRIPTION SERVICE PROVIDER: Briggs Reporting Company, Inc., Telephone number 310-410-4151.]. Notice of Intent to Request Redaction Deadline Due By 10/15/2020. Redaction Request Due By 10/29/2020. Redacted Transcript Submission Due By 11/9/2020. Transcript access will be restricted through 01/6/2021. (Steinhauer, Holly) (Entered: 10/08/2020)
10/14/2020	210 (5 pgs)	Reply to (related document(s): 187 Motion to Approve Compromise Under Rule 9019 <i>Trustee's Notice of Motion and Motion for Approval of Compromise with Robert Stoll Jr. and Stoll Nussbaum & Polakov, APC; Memorandum of Points and Authorities and Declarations of John P. Retiman and R filed by Trustee Richard A Marshack (TR)</i>) <i>Sur-Reply in Opposition to Trustee's Motion for Approval of Compromise with Robert Stoll Jr. and Stoll Nussbaum & Polakov, APC with Proof of Service Filed by Interested Party Avenatti Michael (O'Dea, Ryan)</i> (Entered: 10/14/2020)
10/15/2020	211 (37 pgs)	Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 205 Application to Employ MURPHEY & MURPHEY, APC as Special Litigation Counsel <i>with Proof of Service</i>). (Murphey, Meghan) (Entered: 10/15/2020)
10/16/2020	212 (9 pgs; 3 docs)	<i>Motion to Intervene for Limited Purpose of Compelling Client File in Case No. 2:14-cv-08313-JAK-JPR</i> Filed by Intervenor Hrayr Shahinian (Attachments: # 1 Memorandum of Points and Authorities # 2 Certificate of Service) (Kuyلمان, Erick) (Entered: 10/16/2020)
10/16/2020	213 (23 pgs; 5 docs)	Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: Intervenor Hrayr's Shahinian's client file in case no. 2:14-cv-08313-JAK-JPR . Fee Amount \$181, Filed by Intervenor Hrayr Shahinian (Attachments: # 1 Memorandum of Points and Authorities # 2 Declaration of Thomas D. Warren # 3 Exhibit Exhibit to Warren Declaration # 4 Certificate of Service) (Kuyلمان, Erick)- - Warning: See docket entry no.: 218 for corrections - Modified on 10/19/2020 (Bolte, Nickie). (Entered: 10/16/2020)
10/16/2020		Receipt of Motion for Relief from Stay - Personal Property(8:19-bk-13560-SC) [motion,nmpp] (181.00) Filing Fee. Receipt number 51905476. Fee amount 181.00. (re: Doc# 213) (U.S. Treasury) (Entered: 10/16/2020)
10/16/2020	214 (3 pgs)	Notice of Hearing <i>re Motion to Intervene</i> Filed by Intervenor Hrayr Shahinian (RE: related document(s) 212 <i>Motion to Intervene for Limited Purpose of Compelling Client File in Case No. 2:14-cv-08313-JAK-JPR</i> Filed by Intervenor Hrayr Shahinian (Attachments: # 1 Memorandum of

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		Points and Authorities # 2 Certificate of Service)). (Kuyman, Erick) (Entered: 10/16/2020)
10/16/2020	215 (3 pgs)	Notice of Hearing <i>re Motion to Compel Intervenor Shahinian's Case File</i> Filed by Intervenor Hrayr Shahinian (RE: related document(s) 213 Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: Intervenor Hrayr's Shahinian's client file in case no. 2:14-cv-08313-JAK-JPR . Fee Amount \$181, Filed by Intervenor Hrayr Shahinian (Attachments: # 1 Memorandum of Points and Authorities # 2 Declaration of Thomas D. Warren # 3 Exhibit Exhibit to Warren Declaration # 4 Certificate of Service)). (Kuyman, Erick) (Entered: 10/16/2020)
10/16/2020	216	Hearing Set (RE: related document(s) 212 Dr. Hrayr Shaninian's Motion To Intervene For The Limited Purpose Of Compelling Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) The Hearing date is set for 11/18/2020 at 11:00 AM at Crtrm 5C, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 10/19/2020)
10/16/2020	217	Hearing Set (RE: related document(s) 213 Intervenor Hrayr Shahinian's Motion To Compel Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) The Hearing date is set for 11/18/2020 at 11:00 AM at Crtrm 5C, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Scott C Clarkson - MOTION REFILED ON 10/19/2020 - DOCKET NO. 219 - SEE DOCKET NO. 220 FOR HEARING SET ON REFILED MOTION (Bolte, Nickie) Modified on 10/20/2020 (Bolte, Nickie). (Entered: 10/19/2020)
10/19/2020	218	Notice to Filer of Error and/or Deficient Document Incorrect docket event was used to file this document. THE FILER IS INSTRUCTED TO RE-FILE THE DOCUMENT USING THE CORRECT DOCKET EVENT, WHICH IS: Bankruptcy Events BK - Motions/Applications X - Motion (Generic) (motion). (RE: related document(s) 213 Motion for Relief from Stay - Personal Property filed by Intervenor Hrayr Shahinian) (Bolte, Nickie) (Entered: 10/19/2020)
10/19/2020	219 (23 pgs; 5 docs)	Motion <i>to Compel Client File in Case No. 2:14-cv-08313-JAK-JPR</i> Filed by Intervenor Hrayr Shahinian (Attachments: # 1 Memo of Points and Authorities # 2 Declaration of Thomas D. Warren # 3 Exhibit 1 to Warren Declaration # 4 Certificate of Service) (Kuyman, Erick) (Entered: 10/19/2020)
10/19/2020	220	Hearing Set (RE: related document(s) 219 Intervenor Hrayr Shahinian's Motion To Compel Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) The Hearing date is set for 11/18/2020 at 11:00 AM at Crtrm 5C, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 10/20/2020)
10/20/2020	221 (21 pgs)	Adversary case 8:20-ap-01146. Complaint by RICHARD A. MARSHACK against Andrew S. Davis. (\$350.00 Fee Charge To Estate). <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> . Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (14 (Recovery of money/property - other)) (Reitman, Jack) (Entered: 10/20/2020)
10/20/2020	222	Adversary case 8:20-ap-01147. Complaint by Richard A. Marshack

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	(23 pgs)	against Cascade Capital Group, LLC. (\$350.00 Fee Charge To Estate). <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> . Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (14 (Recovery of money/property - other)) (Reitman, Jack) (Entered: 10/20/2020)
10/20/2020	223 (22 pgs)	Adversary case 8:20-ap-01148. Complaint by Richard A. Marshack against Protech Security & Electronics, Inc.. (\$350.00 Fee Charge To Estate). <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> . Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other)) (Reitman, Jack) (Entered: 10/20/2020)
10/20/2020	224 (21 pgs)	Adversary case 8:20-ap-01149. Complaint by Richard A. Marshack against Simeon Osborn. (\$350.00 Fee Charge To Estate). <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> . Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (14 (Recovery of money/property - other)) (Reitman, Jack) (Entered: 10/20/2020)
10/20/2020	225 (24 pgs)	Adversary case 8:20-ap-01150. Complaint by Richard A. Marshack against Honda Aircraft Company LLC. (\$350.00 Fee Charge To Estate). <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> . Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (14 (Recovery of money/property - other)) (Reitman, Jack) (Entered: 10/20/2020)
10/21/2020	230	Hearing Held On Motion (RE: related document(s) 187 Motion For Approval Of Compromise With Robert Stoll Jr. And Stoll Nussbaum & Polakov, APC filed by Trustee Richard A Marshack (TR)) - MOTION GRANTED - (Bolte, Nickie) (Entered: 10/26/2020)
10/22/2020	226 (1 pg)	Request for CD of Court Proceedings <i>September 23, 2020</i> . Fee Amount \$31, Filed by Creditor Stoll, Nussbaum & Polakov. (Naylor, Karen) (Entered: 10/22/2020)
10/22/2020	227 (1 pg)	Request for CD of Court Proceedings <i>October 21, 2020</i> . Fee Amount \$31, Filed by Creditor Stoll, Nussbaum & Polakov. (Naylor, Karen) (Entered: 10/22/2020)
10/22/2020		Receipt of Request for CD of Court Proceedings (fee)(8:19-bk-13560-SC) [misc,cdref] (31.00) Filing Fee. Receipt number 51933905. Fee amount 31.00. (re: Doc# 226) (U.S. Treasury) (Entered: 10/22/2020)
10/22/2020		Receipt of Request for CD of Court Proceedings (fee)(8:19-bk-13560-SC) [misc,cdref] (31.00) Filing Fee. Receipt number 51933905. Fee amount 31.00. (re: Doc# 227) (U.S. Treasury) (Entered: 10/22/2020)
10/26/2020	228 (8 pgs)	Notice of lodgment <i>Notice of Lodgment of Order in Bankruptcy Case Re: Trustee's Notice of Motion and Motion for Approval of Compromise with Robert Stoll Jr. and Stoll Nussbaum & Polakov, APC; Memorandum of Points and Authorities and Declarations of John P. Reitman and Richard A. Marshack in Support</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 187 Motion to Approve Compromise Under Rule 9019 Trustee's Notice of Motion and Motion for Approval of Compromise with Robert Stoll Jr. and Stoll Nussbaum & Polakov, APC; Memorandum of

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		<i>Points and Authorities and Declarations of John P. Reitman and Richard A. Marshack in Support</i> Filed by Trustee Richard A Marshack (TR)). (Reitman, John) (Entered: 10/26/2020)
10/26/2020	229 (2 pgs)	Order Approving Chapter 7 Trustee's Application To Employ Murphey & Murphey, APC As Special Litigation Counsel Effective As Of August 1, 2020. (SEE ORDER FOR FURTHER RULING) (BNC-PDF) (Related Doc # 205) Signed on 10/26/2020. (Bolte, Nickie) (Entered: 10/26/2020)
10/28/2020	231 (6 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 229 Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 10/28/2020. (Admin.) (Entered: 10/28/2020)
10/30/2020	232 (21 pgs)	Adversary case 8:20-ap-01152. Complaint by Richard A. Marshack against Christine Avenatti Carlin. (\$350.00 Fee Charge To Estate). <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (14 (Recovery of money/property - other)) (Reitman, Jack) (Entered: 10/30/2020)
10/30/2020	233 (21 pgs)	Adversary case 8:20-ap-01153. Complaint by Richard A. Marshack against HPPW, LLC. (\$350.00 Fee Charge To Estate). <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> Nature of Suit: (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (14 (Recovery of money/property - other)) (Reitman, Jack) (Entered: 10/30/2020)
11/02/2020	234 (4 pgs)	<i>Notice Trustee's Notice of Non-Opposition to Dr. Hrayr Shahinian's Motion to Intervene</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 212 <i>Motion to Intervene for Limited Purpose of Compelling Client File in Case No. 2:14-cv-08313-JAK-JPR</i> Filed by Intervenor Hrayr Shahinian (Attachments: # 1 Memorandum of Points and Authorities # 2 Certificate of Service)). (Reitman, Jack) (Entered: 11/02/2020)
11/02/2020	235 (2 pgs)	Order Granting Trustee's Motion for Approval of Compromise with Robert Stoll Jr. and Stoll Nussbaum & Polakov, APC (BNC-PDF) (Related Doc # 187) Signed on 11/2/2020. (Mccall, Audrey) (Entered: 11/02/2020)
11/04/2020	236 (19 pgs)	Opposition to (related document(s): 219 <i>Motion to Compel Client File in Case No. 2:14-cv-08313-JAK-JPR</i> filed by Intervenor Hrayr Shahinian) <i>Trustee's Opposition to Dr. Hrayr Shahinian's Notice of Motion and Motion to Intervene for the Limited Purpose of Compelling Production of His Client File in Case No. 2:14-cv-08313-JAK-JPR</i> Filed by Trustee Richard A Marshack (TR) (Reitman, John) (Entered: 11/04/2020)
11/04/2020	237 (127 pgs)	Declaration re: <i>Declaration of John P. Reitman In Support of Trustee's Opposition to Dr. Hrayr Shahinian's Motion to Intervene for the Limited Purpose of Compelling Production of His Client File in Case No. 2:14-cv-08313-JAK-JPR</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 236 Opposition). (Reitman, John) (Entered: 11/04/2020)
11/04/2020	238 (150 pgs)	Declaration re: <i>Declaration of Brian Weiss In Support of Trustee's Opposition to Dr. Hrayr Shahinian's Motion to Intervene for the Limited Purpose of Compelling Production of His Client File in Case No. 2:14-cv-</i>

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		08313-JAK-JPR Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 236 Opposition). (Reitman, John) (Entered: 11/04/2020)
11/04/2020	239 (6 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 235 Order on Motion to Approve Compromise Under Rule 9019 (BNC-PDF)) No. of Notices: 1. Notice Date 11/04/2020. (Admin.) (Entered: 11/04/2020)
11/11/2020	240 (7 pgs; 2 docs)	Reply to (related document(s): 219 Motion to Compel Client File in Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) Filed by Intervenor Hrayr Shahinian (Attachments: # 1 Certificate of Service) (Kuyلمان, Erick) - Warning: See docket entry no.: 242 for corrections - Modified on 11/12/2020 (Bolte, Nickie). (Entered: 11/11/2020)
11/12/2020	241 (39 pgs)	Transcript regarding Hearing Held 10/21/20 RE: MOTION TO AMEND COMPLAINT. Remote electronic access to the transcript is restricted until 02/10/2021. The transcript may be viewed at the Bankruptcy Court Clerk's Office on a public terminal or purchased through the Transcription Service Provider before the transcript access restriction has ended. [TRANSCRIPTION SERVICE PROVIDER: BRIGGS REPORTING COMPANY, INC., Telephone number 310-410-4151.J. Notice of Intent to Request Redaction Deadline Due By 11/19/2020. Redaction Request Due By 12/3/2020. Redacted Transcript Submission Due By 12/14/2020. Transcript access will be restricted through 02/10/2021. (Steinhauer, Holly) (Entered: 11/12/2020)
11/12/2020	242	Notice to Filer of Error and/or Deficient Document Electronic signature does not correspond to the attorney login. THE FILER IS INSTRUCTED TO COMPLY WITH SECTION 3 OF THE COURT MANUAL AND EITHER REFILE THE DOCUMENT WITH THE CORRECT LOGIN OR FILE A SUBSTITUTION OF ATTORNEY. (RE: related document(s) 240 Reply filed by Intervenor Hrayr Shahinian) (Bolte, Nickie) (Entered: 11/12/2020)
11/12/2020	243 (9 pgs; 3 docs)	Errata to Reply in Support of Intervenor's Motion to Compel Case File Filed by Intervenor Hrayr Shahinian (RE: related document(s) 240 Reply, 242 Notice to Filer of Error and/or Deficient Document). (Attachments: # 1 Corrected Reply in Support of Intervenor's Motion to Compel # 2 Certificate of Service - Errata to Reply) (Kuyلمان, Erick) (Entered: 11/12/2020)
11/16/2020	244 (7 pgs)	Motion to Continue Hearing On (related documents 219 Generic Motion) Chapter 7 Trustee's Motion to Continue Hearing on Intervenor's Motion to Compel Client File; Memorandum of Points and Authorities; Declaration of Richard A. Marshack in Support, with Proof of Service Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 11/16/2020)
11/18/2020	246	Hearing Continued (RE: related document(s) 212 Dr. Hrayr Shahinian's Motion To Intervene For The Limited Purpose Of Compelling Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) - HEARING ON MOTION CONTINUED TO DECEMBER 16, 2020 AT 11:00 A.M. IN COURTROOM 5C, LOCATED AT 411 WEST FOURTH STREET, SANTA ANA, CA 92701. STATUS REPORT DUE FOURTEEN (14) DAYS IN ADVANCE (Bolte, Nickie) (Entered: 11/23/2020)
11/18/2020	247	Hearing Continued On Motion (RE: related document(s) 219 : Intervenor Hrayr Shahinian's Motion To Compel Production Of His Client File In

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		Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian). - HEARING ON MOTION CONTINUED TO DECEMBER 16, 2020 AT 11:00 A.M. IN COURTROOM 5C, LOCATED AT 411 WEST FOURTH STREET, SANTA ANA, CA 92701. STATUS REPORT DUE FOURTEEN (14) DAYS IN ADVANCE. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 11/23/2020)
11/20/2020	245 (4 pgs)	Stipulation By Simeon Osborn and <i>Richard A. Marshack, Chapter 7 Trustee to Extend Time to Respond to Complaint</i> Filed by Debtor Simeon Osborn (Malo, Aaron) (Entered: 11/20/2020)
12/03/2020	248 (17 pgs)	Status report <i>Chapter 7 Trustee's Status Report re: Efforts to Locate and Turn Over Former Client Files with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 1 Voluntary Petition (Chapter 7)). (Hays, D) (Entered: 12/03/2020)
12/04/2020	249 (14 pgs)	Application to Employ Bicher & Associates as Agent for Trustee <i>Declaration of Lori J. Ensley; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Marshack (TR), Richard) (Entered: 12/04/2020)
12/07/2020	250 (4 pgs)	Withdrawal re: -- <i>Notice of Withdrawal of Motion for Relief from the Automatic Stay Under 11 U.S.C. Section 362 (Action in Non-Bankruptcy Forum)</i> Filed by Creditor Stoll, Nussbaum & Polakov (RE: related document(s) 13 Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Eagan Avenatti LLP v Stoll, Nussbaum & Polakov, et al., Docket No: 30-2001-00483570 consolidated with 30-2013-00627604, Californi). (Naylor, Karen) (Entered: 12/07/2020)
12/10/2020	251 (9 pgs)	Stipulation By Richard A Marshack (TR) and <i>Iron Mountain for Order to Turn Over Debtor's Books and Record and to Allow PostPetition Administrative Expense Claim for Storage and Moving Fees with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 12/10/2020)
12/10/2020	252 (2 pgs)	Order Approving Stipulation For Order To Turn Over Debtor's Books And Records And To Allow Postpetition Administrative Expense Claim For Storage And Moving Fees. IT IS ORDERED: That The Stipulation Is Approved In Full; And IT IS FURTHER ORDERED THAT: Upon Timely And Full Turnover Of The Books/Records Iron Mountain Shall Be Allowed An Administrative Expense Claim Pursuant To 11 U.S.C. Section 503(b)(1) In The Amount Of \$17,879.49, And The Trustee Is Authorized To Pay Such Expense As Soon As Sufficient Funds Are Available. (BNC-PDF) (Related Doc # 251) Signed on 12/10/2020 (Bolte, Nickie) (Entered: 12/10/2020)
12/12/2020	253 (6 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 252 Order on Generic Motion (BNC-PDF)) No. of Notices: 1. Notice Date 12/12/2020. (Admin.) (Entered: 12/12/2020)
12/16/2020	254	Hearing Continued On Motion (RE: related document(s) 212 Dr. Hrayr Shahinian's Motion To Intervene For The Limited Purpose Of Compelling Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) HEARING ON MOTION CONTINUED TO JANUARY 6, 2021 AT 1:30 P.M. IN COURTROOM 5C, LOCATED AT 411 WEST FOURTH STREET, SANTA ANA, CA 92701. STATUS

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		REPORT DUE FOURTEEN (14) DAYS IN ADVANCE. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 12/18/2020)
12/16/2020	255	Hearing Continued On Motion (RE: related document(s) 219 Intervenor Hrayr Shahinian's Motion To Compel Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) HEARING ON MOTION CONTINUED TO JANUARY 6, 2021 AT 1:30 P.M. IN COURTROOM 5C, LOCATED AT 411 WEST FOURTH STREET, SANTA ANA, CA 92701. STATUS REPORT DUE FOURTEEN (14) DAYS IN ADVANCE. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 12/18/2020)
12/17/2020	256	Hearing Held On Motion (RE: related document(s) 13 Motion for Relief from Stay - ACTION IN NON-BANKRUPTCY FORUM - RE: Case Name: Eagan Avenatti LLP v. Stoll, Nussbaum & Polakov, et al. - Docket No: 30-2011-00483570 Consolidated With 30-2013-00627604 - Pending In: California Superior Court For The County Of Orange filed by Creditor Stoll, Nussbaum & Polakov) - OFF CALENDAR - NOTICE OF WITHDRAWAL OF MOTION FOR RELIEF FROM STAY FILED 12-7-2020 - (DOCKET NO. 250) (Bolte, Nickie) (Entered: 12/18/2020)
12/22/2020	257 (19 pgs)	Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 249 Application to Employ Bicher & Associates as Agent for Trustee <i>Declaration of Lori J. Ensley; with Proof of Service</i>). (Marshack (TR), Richard) (Entered: 12/22/2020)
12/22/2020	258 (2 pgs)	Order Granting Application to Employ Bicher & Associates as a Paraprofessional (BNC-PDF) (Related Doc # 249) Signed on 12/22/2020. (Mccall, Audrey) (Entered: 12/22/2020)
12/23/2020	259 (12 pgs)	Status report <i>Chapter 7 Trustee's Further Status Report re Efforts to Locate and Turn Over Former Client Files with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 255 Hearing (Bk Motion) Continued). (Mang, Tinho) (Entered: 12/23/2020)
12/24/2020	260 (6 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 258 Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 12/24/2020. (Admin.) (Entered: 12/24/2020)
01/06/2021	261 (18 pgs)	Status report <i>Further Status Report with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 1 Voluntary Petition (Chapter 7)). (Hays, D) (Entered: 01/06/2021)
01/06/2021	262	Hearing Continued On Motion (RE: related document(s) 219 Intervenor Hrayr Shahinian's Motion To Compel Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) HEARING ON MOTION CONTINUED TO JANUARY 20, 2021 AT 1:30 P.M. IN COURTROOM 5C, LOCATED AT 411 WEST FOURTH STREET, SANTA ANA, CA 92701. STATUS REPORT IS DUE FOURTEEN (14) DAYS IN ADVANCE. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 01/12/2021)
01/06/2021	263	Hearing Continued On Motion (RE: related document(s) 212 Dr. Hrayr Shahinian's Motion To Intervene For The Limited Purpose Of Compelling Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) - HEARING ON MOTION CONTINUED

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		TO JANUARY 20, 2021 AT 1:30 P.M. IN COURTROOM 5C, LOCATED AT 411 WEST FOURTH STREET, SANTA ANA, CA 92701. STATUS REPORT DUE FOURTEEN (14) DAYS IN ADVANCE. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 01/12/2021)
01/20/2021	264	Hearing Continued On Motion (RE: related document(s) 212 Dr. Hrayr Shahinian's Motion To Intervene For The Limited Purpose Of Compelling Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) - HEARING ON MOTION CONTINUED TO FEBRUARY 18, 2021 AT 1:30 P.M. IN COURTROOM 5C, LOCATED AT 411 WEST FOURTH STREET, SANTA ANA, CA 92701. STATUS REPORT DUE FOURTEEN (14) DAYS IN ADVANCE. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 01/25/2021)
01/20/2021	265	Hearing Continued On Motion (RE: related document(s) 219 Intervenor Hrayr Shahinian's Motion To Compel Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) - HEARING ON MOTION CONTINUED TO FEBRUARY 18, 2021 AT 1:30 P.M. IN COURTROOM 5C, LOCATED AT 411 WEST FOURTH STREET, SANTA ANA, CA 92701. STATUS REPORT DUE FOURTEEN (14) DAYS IN ADVANCE. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 01/25/2021)
02/04/2021	266 (7 pgs)	Status report <i>Chapter 7 Trustee's Further Status Report re: Efforts to Locate and Turn Over Former Client Files, with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 265 Hearing (Bk Motion) Continued). (Hays, D) (Entered: 02/04/2021)
02/15/2021	267 (83 pgs)	Transcript regarding Hearing Held 01/20/21 RE: SPECIAL MOTION TO STRIKE AND MOTION TO DISMISS. Remote electronic access to the transcript is restricted until 05/17/2021. The transcript may be viewed at the Bankruptcy Court Clerk's Office on a public terminal or purchased through the Transcription Service Provider before the transcript access restriction has ended. [TRANSCRIPTION SERVICE PROVIDER: BRIGGS REPORTING COMPANY, INC., Telephone number 310-410-4151.]. Notice of Intent to Request Redaction Deadline Due By 2/22/2021. Redaction Request Due By 03/8/2021. Redacted Transcript Submission Due By 03/18/2021. Transcript access will be restricted through 05/17/2021. (Steinhauer, Holly) (Entered: 02/15/2021)
02/18/2021	271	Hearing Continued On Motion (RE: related document(s) 212 Dr. Hrayr Shahinian's Motion To Intervene For The Limited Purpose Of Compelling Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) HEARING ON MOTION CONTINUED TO APRIL 28, 2021 AT 11:00 A.M. IN COURTROOM 5C, LOCATED AT 411 WEST FOURTH STREET, SANTA ANA, CA 92701. STATUS REORT DUE FOURTEEN (14) DAYS IN ADVANCE. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 03/01/2021)
02/18/2021	272	Hearing Continued ON Motion (RE: related document(s) 219 Intervenor Hrayr Shahinian's Motion To Compel Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) HEARING ON MOTION CONTINUED TO APRIL 28, 2021 AT 11:00 A.M. IN COURTROOM 5C, LOCATED AT 411 WEST FOURTH STREET, SANTA ANA, CA 92701. STATUS REPORT DUE FOURTEEN (14) DAYS IN ADVANCE. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 03/01/2021)

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02/20/2021	268 (4 pgs)	Notice of Increased Hourly Rates Charged by Marshack Hays LLP; with Proof of Service Filed by Trustee Richard A Marshack (TR). (Wood, David) (Entered: 02/20/2021)
02/24/2021	269 (88 pgs)	Motion to Approve Compromise Under Rule 9019 Between Estate and Dillanos Coffee Roasters, Inc.; Declaration of Richard A. Marshack in support; with Proof of Service Filed by Trustee Richard A Marshack (TR) (Wood, David) (Entered: 02/24/2021)
02/24/2021	270 (13 pgs)	Notice of Opportunity To Request a Hearing On Motion (LBR 9013-1(o)) with Proof of Service Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 269 Motion to Approve Compromise Under Rule 9019 Between Estate and Dillanos Coffee Roasters, Inc.; Declaration of Richard A. Marshack in support; with Proof of Service Filed by Trustee Richard A Marshack (TR)). (Wood, David) (Entered: 02/24/2021)
03/17/2021	273 (107 pgs)	Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) with Proof of Service Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 269 Motion to Approve Compromise Under Rule 9019 Between Estate and Dillanos Coffee Roasters, Inc.; Declaration of Richard A. Marshack in support; with Proof of Service). (Wood, David) (Entered: 03/17/2021)
03/18/2021	274 (2 pgs)	Order Granting Motion To Approve Compromise Between Trustee And Dillanos Coffee Roasters, Inc. IT IS ORDERED: The Agreement Attached As Exhibit "1" To The Motion Is Approved. The Trustee Is Authorized To Provide The Releases Specified In The Agreement. (SEE ORDER FOR FURTHER RULING) (BNC-PDF) (Related Doc # 269) Signed on 3/18/2021. (Bolte, Nickie) (Entered: 03/18/2021)
03/20/2021	275 (6 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 274 Order on Motion to Approve Compromise Under Rule 9019 (BNC-PDF)) No. of Notices: 1. Notice Date 03/20/2021. (Admin.) (Entered: 03/20/2021)
03/23/2021	276 (66 pgs)	Transcript regarding Hearing Held 02/17/21 RE: RULE 16 PRE-TRIAL CONFERENCE. Remote electronic access to the transcript is restricted until 06/21/2021. The transcript may be viewed at the Bankruptcy Court Clerk's Office on a public terminal or purchased through the Transcription Service Provider before the transcript access restriction has ended. [TRANSCRIPTION SERVICE PROVIDER: Briggs Reporting Company, Inc., Telephone number 310-410-4151.]. Notice of Intent to Request Redaction Deadline Due By 3/30/2021. Redaction Request Due By 04/13/2021. Redacted Transcript Submission Due By 04/23/2021. Transcript access will be restricted through 06/21/2021. (Steinhauer, Holly) (Entered: 03/23/2021)
04/12/2021	277 (10 pgs)	Application to Employ Hahn Fife & Company LLP as Accountant for Trustee ; Declaration of Donald T. Fife in support; with Proof of Service Filed by Trustee Richard A Marshack (TR) (Marshack (TR), Richard) (Entered: 04/12/2021)
04/12/2021	278 (12 pgs)	Notice of Opportunity To Request a Hearing On Motion (LBR 9013-1(o)) with Proof of Service Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 277 Application to Employ Hahn Fife & Company LLP as Accountant for Trustee ; Declaration of Donald T. Fife in support; with Proof of Service Filed by Trustee Richard A Marshack (TR)

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		(Marshack (TR), Richard)). (Marshack (TR), Richard) (Entered: 04/12/2021)
04/14/2021	279 (6 pgs)	Status report <i>Chapter 7 Trustee's Further Status Report re: Efforts to Locate and Turn Over Former Client Files with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 272 Hearing (Bk Motion) Continued). (Mang, Tinho) (Entered: 04/14/2021)
04/21/2021	280 (77 pgs)	Motion to Approve Compromise Under Rule 9019 <i>between Trustee and Alki Bakery, Inc. with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Wood, David) (Entered: 04/21/2021)
04/21/2021	281 (15 pgs)	Notice <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 280 Motion to Approve Compromise Under Rule 9019 <i>between Trustee and Alki Bakery, Inc. with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Wood, David) (Entered: 04/21/2021)
04/28/2021	285	Hearing Continued On Motion (RE: related document(s) 212 Dr. Hrayr Shahinian's Motion To Intervene For The Limited Purpose Of Compelling Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) - HEARING ON MOTION CONTINUED TO JULY 14, 2021 AT 11:00 A.M. IN COURTROOM 5C - VIRTUAL, LOCATED AT 411 WEST FOURTH STREET, SANTA ANA, CA 92701. STATUS REPORT DUE FOURTEEN (14) DAYS IN ADVANCE. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 05/07/2021)
04/28/2021	286	Hearing Continued (RE: related document(s) 219 Intervenor Hrayr Shahinian's Motion To Compel Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) - HEARING ON MOTION CONTINUED TO JULY 14, 2021 AT 11:00 A.M. IN COURTROOM 5C - VIRTUAL, LOCATED AT 411 WEST FOURTH STREET, SANTA ANA, CA 92701. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 05/07/2021)
04/30/2021	282 (28 pgs)	Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 277 Application to Employ Hahn Fife & Company LLP as Accountant for Trustee ; <i>Declaration of Donald T. Fife in support; with Proof of Service</i>). (Marshack (TR), Richard) (Entered: 04/30/2021)
04/30/2021	283 (1 pg)	Order Granting Application By Chapter 7 Trustee To Employ Hahn Fife & Company, LLC As Accountant Effective March 25, 2021. (SEE ORDER FOR FURTHER RULING) (BNC-PDF) (Related Doc # 277) Signed on 4/30/2021. (Bolte, Nickie) (Entered: 04/30/2021)
05/02/2021	284 (5 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 283 Order on Application to Employ (BNC-PDF)) No. of Notices: 1. Notice Date 05/02/2021. (Admin.) (Entered: 05/02/2021)
06/01/2021	287 (51 pgs)	Transcript regarding Hearing Held 05/05/21 RE: MOTION TO DISMISS. Remote electronic access to the transcript is restricted until 08/30/2021. The transcript may be viewed at the Bankruptcy Court Clerk's Office on a public terminal or purchased through the Transcription Service Provider before the transcript access restriction has ended. [TRANSCRIPTION SERVICE PROVIDER: BRIGGS REPORTING COMPANY, INC., Telephone number 310-410-4151.]. Notice of Intent to Request Redaction

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		Deadline Due By 6/8/2021. Redaction Request Due By 06/22/2021. Redacted Transcript Submission Due By 07/2/2021. Transcript access will be restricted through 08/30/2021. (Steinhauer, Holly) (Entered: 06/01/2021)
06/04/2021	288 (98 pgs)	Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 280 Motion to Approve Compromise Under Rule 9019 <i>between Trustee and Alki Bakery, Inc. with Proof of Service</i>). (Wood, David) (Entered: 06/04/2021)
06/07/2021	289 (71 pgs)	Motion to Approve Compromise Under Rule 9019 <i>between Estate and Vincent Builders, Inc.; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Wood, David) (Entered: 06/07/2021)
06/07/2021	290 (13 pgs)	Notice of Opportunity To Request a Hearing On Motion (LBR 9013-1(o)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 289 Motion to Approve Compromise Under Rule 9019 <i>between Estate and Vincent Builders, Inc.; with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Wood, David) (Entered: 06/07/2021)
06/08/2021	291 (2 pgs)	Order Granting Motion To Approve Compromise Between Trustee And Alki Bakery, Inc. IT IS ORDERED: The Agreement Attached As Exhibit "1" To The Motion Is Approved. The Trustee Is Authorized To Provide The Releases Specified In The Agreement. (SEE ORDER FOR FURTHER RULING) (BNC-PDF) (Related Doc # 280) Signed on 6/8/2021. (Bolte, Nickie) (Entered: 06/08/2021)
06/08/2021	292 (14 pgs)	Declaration re: <i>Supplemental Declaration of Richard L. Kellner Re: Application to Employ Kellner Law Group PC as Special Collections Counsel</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 91 Application to Employ Kellner Law Group PC as Special Collections Counsel <i>with Proof of Service</i>). (Hays, D) (Entered: 06/08/2021)
06/10/2021	293 (6 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 291 Order on Motion to Approve Compromise Under Rule 9019 (BNC-PDF)) No. of Notices: 1. Notice Date 06/10/2021. (Admin.) (Entered: 06/10/2021)
06/25/2021	294 (90 pgs)	Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 289 Motion to Approve Compromise Under Rule 9019 <i>between Estate and Vincent Builders, Inc.; with Proof of Service</i>). (Wood, David) (Entered: 06/25/2021)
06/25/2021	295 (2 pgs)	Order Granting Motion To Approve Compromise Between Trustee And Vincent Builders, Inc. IT IS ORDERED: The Agreement Attached As Exhibit "1" To The Motion Is Approved. The Trustee Is Authorized To Provide The Release Of Claims Specified In The Agreement. (SEE ORDER FOR FURTHER RULING) (BNC-PDF) (Related Doc # 289) Signed on 6/25/2021. (Bolte, Nickie) (Entered: 06/25/2021)
06/27/2021	296 (6 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 295 Order on Motion to Approve Compromise Under Rule 9019 (BNC-PDF)) No. of Notices: 1. Notice Date 06/27/2021. (Admin.) (Entered: 06/27/2021)

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07/06/2021	297 (6 pgs)	Stipulation By Richard A Marshack (TR) and <i>Dr. Hrayr Shahinian to continue status conference and hearing on pending motions filed by Dr. Hrayr Shahinian with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Mang, Tinho) (Entered: 07/06/2021)
07/07/2021	298 (25 pgs)	Transcript regarding Hearing Held 06/16/21 RE: CONTD RULE 16 STATUS CONFERENCE HEARING RE: SECOND AMENDED COMPLAINT FOR: (1) DECLARATORY JUDGMENT; (2) QUANTUM MERUIT; (3) VIOLATION OF THE AUTOMATIC STAY, AND OTHER COURT ORDERS; (4) AVOIDANCE, RECOVERY, AND PRESERVATION OF FRAUDULENT TRANSFER. Remote electronic access to the transcript is restricted until 10/5/2021. The transcript may be viewed at the Bankruptcy Court Clerk's Office on a public terminal or purchased through the Transcription Service Provider before the transcript access restriction has ended. [TRANSCRIPTION SERVICE PROVIDER: Briggs Reporting Company, Inc., Telephone number 310-410-4151.]. Notice of Intent to Request Redaction Deadline Due By 7/14/2021. Redaction Request Due By 07/28/2021. Redacted Transcript Submission Due By 08/9/2021. Transcript access will be restricted through 10/5/2021. (Steinhauer, Holly) (Entered: 07/07/2021)
07/07/2021	299 (2 pgs)	Order Approving Stipulation To Continue Status Conference And Hearing On Pending Motions Filed By Dr. Hrayr Shahinian. IT IS ORDERED: The Hearing And Status Conference On The Motions Currently Set For July 14, 2021 Shall Be Continued For A further 60 Days To September 15, 2021 At 11:00 A.M. In Courtroom 5C-Virtual, Located At 411 West Fourth Street, Santa Ana, CA 92701. Movant Shall Arrange To Pick Up The Files In The Trustee's Possession No Later Than July 16, 2021 To Avoid Further Storage Costs To The Estate. (SEE ORDER FOR FURTHER RULING) (BNC-PDF) (Related Doc # 297) Signed on 7/7/2021 (Bolte, Nickie) (Entered: 07/07/2021)
07/08/2021	300 (3 pgs)	Notice of Change of Address <i>Notice of Attorney Change of Address.</i> (Reitman, Jack) (Entered: 07/08/2021)
07/09/2021	301 (6 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 299 ORDER to continue/reschedule hearing (BNC-PDF)) No. of Notices: 1. Notice Date 07/09/2021. (Admin.) (Entered: 07/09/2021)
07/12/2021	302 (3 pgs)	Notice of Change of Address <i>Notice of Attorney Change of Address.</i> (Reitman, John) (Entered: 07/12/2021)
07/14/2021	303	Hearing Continued On Motion (RE: related document(s) 212 Dr. Hrayr Shahinian's Motion To Intervene For The Limited Purpose Of Compelling Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) - HEARING ON MOTION CONTINUED TO SEPTEMBER 15, 2021 AT 11:00 A.M. IN COURTROOM 5C-VIRTUAL, LOCATED AT 411 WEST FOURTH STREET, SANTA ANA, CA 92701 PER ORDER APPROVING STIPULATION TO CONTINUE STATUS CONFERENCE AND HEARING ON PENDING MOTIONS FILED BY DR. HRAYR SHAHINIAN ENTERED 7-7-2021 - (DOCKET NO. 299 The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 07/15/2021)
07/14/2021	304	Hearing Continued On Motion (RE: related document(s) 219 Intervenor Hrayr Shahinian's Motion To Compel Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) HEARING ON THE MOTION CONTINUED TO SEPTEMBER 15, 2021 AT 11:00 A.M. IN COURTROOM 5C-VIRTUAL, LOCATED AT 411 WEST FOURTH STREET, SANTA ANA, CA 92701 PER ORDER APPROVING STIPULATION TO CONTINUE STATUS CONFERENCE AND HEARING ON PENDING MOTIONS FILED BY DR. HRAYR SHAHINIAN ENTERED 7-7-2021 -

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		(DOCKET NO. 299 . The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 07/15/2021))
08/05/2021	305 (48 pgs)	Transcript regarding Hearing Held 07/29/21 RE: HEARING RE: MOTION FOR ORDER COMPELLING TRUSTEE TO PRODUCE DOCUMENTS PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 37 HEARING RE: MOTION FOR ORDER COMPELLING JAMS TO PRODUCE DOCUMENTS PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 37. Remote electronic access to the transcript is restricted until 11/3/2021. The transcript may be viewed at the Bankruptcy Court Clerk's Office on a public terminal or purchased through the Transcription Service Provider before the transcript access restriction has ended. [TRANSCRIPTION SERVICE PROVIDER: BRIGGS REPORTING COMPANY, INC., Telephone number 310-410-4151.]. Notice of Intent to Request Redaction Deadline Due By 8/12/2021. Redaction Request Due By 08/26/2021. Redacted Transcript Submission Due By 09/7/2021. Transcript access will be restricted through 11/3/2021. (Steinhauer, Holly) (Entered: 08/05/2021)
08/12/2021	306 (10 pgs)	Notice of Motion and Motion Under LBR 2016-2 For Approval of Cash Disbursements by the Trustee; Opportunity to Request Hearing; and Declaration of Trustee <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR). (Marshack (TR), Richard) (Entered: 08/12/2021)
08/31/2021	307 (15 pgs)	Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 306 Notice of Motion and Motion Under LBR 2016-2 For Approval of Cash Disbursements by the Trustee; Opportunity to Request Hearing; and Declaration of Trustee <i>with Proof of Service</i>). (Marshack (TR), Richard) (Entered: 08/31/2021)
09/01/2021	308 (1 pg)	Order Granting Trustee's Motion For Approval Of Cash Disbursements [LBR 2016-2]. IT IS ORDERED: The Trustee Is Authorized To Disburse Funds From The Estate For The Expenses Set Forth In Exhibit B To The Motion. (BNC-PDF) (Related Doc # 306) Signed on 9/1/2021 (Bolte, Nickie) (Entered: 09/01/2021)
09/03/2021	309 (5 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 308 Order on Motion For Approval of Cash Disbursements by the Trustee Under LBR 2016-2 (BNC-PDF)) No. of Notices: 1. Notice Date 09/03/2021. (Admin.) (Entered: 09/03/2021)
09/08/2021	310 (30 pgs)	Adversary case 8:21-ap-01080. Complaint by Richard A. Marshack, Chapter 7 Trustee for Eagan Avenatti LLP against Keurig Dr. Pepper, Inc., f/k/a Green Mountain Coffee Roasters, Inc., a Delaware Corporation. (\$350.00 Fee Charge To Estate). <i>Complaint for Avoidance and Recovery of Voidable Transfer</i> Nature of Suit: (14 (Recovery of money/property - other)), (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (13 (Recovery of money/property - 548 fraudulent transfer)) (Reitman, John) (Entered: 09/08/2021)
09/08/2021	311 (26 pgs)	Adversary case 8:21-ap-01081. Complaint by Richard A. Marshack, Chapter 7 Trustee for Eagan Avenatti, LLP against Michael Q. Eagan, The Law Offices of Michael Q. Eagan. (\$350.00 Fee Charge To Estate). <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> Nature of Suit: (14 (Recovery of money/property - other)), (02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (13 (Recovery of money/property - 548 fraudulent transfer)) (Reitman, John) (Entered: 09/08/2021)
09/08/2021	312	Adversary case 8:21-ap-01082. Complaint by Richard A. Marshack, Chapter 7

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	(23 pgs)	Trustee for Eagan Avenatti, LLP against Osborn Machler, PLLC, A Washington professional limited liability company. (\$350.00 Fee Charge To Estate). <i>Complaint for Avoidance and Recovery of Voidable Transfers</i> Nature of Suit: (14 (Recovery of money/property - other)),(02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))), (13 (Recovery of money/property - 548 fraudulent transfer)) (Reitman, John) (Entered: 09/08/2021)
09/08/2021	313 (7 pgs)	Status report <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 304 Hearing (Bk Motion) Continued). (Mang, Tinho) - Warning: See docket entry no.: 314 for corrections - Modified on 9/9/2021 (Bolte, Nickie). (Entered: 09/08/2021)
09/09/2021	314	Notice to Filer of Error and/or Deficient Document Incorrect hearing date/time/location was selected. THE FILER IS INSTRUCTED TO FILE AN AMENDED NOTICE OF HEARING WITH THE CORRECT HEARING INFORMATION. (RE: related document(s) 313 Status report filed by Trustee Richard A Marshack (TR)) (Bolte, Nickie) (Entered: 09/09/2021)
09/09/2021	315 (75 pgs)	Motion to approve compromise <i>Between Trustee and Silver Star Sound & Communications, Inc.; Memorandum of Points and Authorities; Declaration of Richard A. Marshack in Support, with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Wood, David) - Warning: See docket entry no.: 318 for corrections - Modified on 9/10/2021 (Bolte, Nickie). (Entered: 09/09/2021)
09/09/2021	316 (18 pgs)	Notice of Motion to Approve Compromise, with Proof of Service Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 315 Motion to approve compromise <i>Between Trustee and Silver Star Sound & Communications, Inc.; Memorandum of Points and Authorities; Declaration of Richard A. Marshack in Support, with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Wood, David) (Entered: 09/09/2021)
09/09/2021	317 (7 pgs)	Status report <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 304 Hearing (Bk Motion) Continued). (Mang, Tinho) (Entered: 09/09/2021)
09/10/2021	318	Notice to Filer of Error and/or Deficient Document Incorrect/incomplete/unreadable/too small PDF was attached to the docket entry. PDF THE FILER IS INSTRUCTED TO RE-FILE THE DOCUMENT WITH THE CORRECT PDF IMMEDIATELY. (RE: related document(s) 315 Motion to approve compromise filed by Trustee Richard A Marshack (TR)) (Bolte, Nickie) (Entered: 09/10/2021)
09/10/2021	319 (75 pgs)	Motion to approve compromise <i>Between Trustee and Silver Star Sound & Communications, Inc.; Memorandum of Points and Authorities; Declaration of Richard A. Marshack in Support, with Proof of Service</i> (Related to: 315 Motion to approve compromise; 316 Notice of motion; and 318 Notice to filer of error) Filed by Trustee Richard A Marshack (TR) (Wood, David) (Entered: 09/10/2021)
09/11/2021	320 (13 pgs)	Motion to Extend Time <i>Chapter 7 Trustee's Notice of Motion and Motion for Order Extending Time to File Avoidance Actions Under 11 U.S.C. § 546; Memorandum of Points and Authorities; Declaration of John P. Reitman in Support</i> Filed by Trustee Richard A Marshack (TR) (Reitman, John) (Entered: 09/11/2021)
09/11/2021	321 (13 pgs)	Notice of motion/application <i>Chapter 7 Trustee's Notice of Motion for Order Extending Time to File Avoidance Actions Under 11 U.S.C. § 546</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 320 Motion to Extend Time

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		<i>Chapter 7 Trustee's Notice of Motion and Motion for Order Extending Time to File Avoidance Actions Under 11 U.S.C. § 546; Memorandum of Points and Authorities; Declaration of John P. Reitman in Support</i> Filed by Trustee Richard A Marshack (TR). (Reitman, John) (Entered: 09/11/2021)
09/14/2021	322 (1 pg)	Request for courtesy Notice of Electronic Filing (NEF) Filed by Richards, Ronald. (Richards, Ronald) (Entered: 09/14/2021)
09/14/2021	323 (6 pgs)	Stipulation By Richard A Marshack (TR) and <i>Dr. Hrayr Shahinian for Voluntary Dismissal of Pending Motions Filed by Dr. Hrayr Shahinian with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Mang, Tinho) (Entered: 09/14/2021)
09/15/2021	324 (2 pgs)	Order Approving Stipulation For Voluntary Dismissal Of Pending Motions Filed By Dr. Hrayr Shahinian. IT IS ORDERED: The Motions Filed As Docket Nos. 212 , 213 , And 219 Are Dismissed Without Prejudice. No Party Shall Be Deemed The Prevailing Party And All Parties Shall Bear Their Own Costs And Fees. To The Extent That Any Documents Are Inadvertently Produced To Movant Which Are Not Movant's Client Files, Such Files Shall Immediately Be Returned To The Trustee In Order To Preserve The Attorney-Client Privilege And Confidentiality Of Such Documents. (BNC-PDF) (Related Doc # 323) Signed on 9/15/2021 (Bolte, Nickie) (Entered: 09/15/2021)
09/15/2021	326	Hearing Held On Motion (RE: related document(s) 219 Intervenor Hrayr Shahinian's Motion To Compel Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) - OFF CALENDAR - STIPULATION DISMISSING THE MOTION APPROVED - (Bolte, Nickie) (Entered: 09/22/2021)
09/15/2021	327	Hearing Held On Motion (RE: related document(s) 212 Dr. Hrayr Shahinian's Motion To Intervene For The Limited Purpose Of Compelling Production Of His Client File In Case No. 2:14-cv-08313-JAK-JPR filed by Intervenor Hrayr Shahinian) - OFF CALENDAR - STIPULATION DISMISSING THE MOTION APPROVED - (Bolte, Nickie) (Entered: 09/22/2021)
09/17/2021	325 (6 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 324 Order on Generic Motion (BNC-PDF)) No. of Notices: 1. Notice Date 09/17/2021. (Admin.) (Entered: 09/17/2021)
10/01/2021	328 (38 pgs)	Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 320 Motion to Extend Time <i>Chapter 7 Trustee's Notice of Motion and Motion for Order Extending Time to File Avoidance Actions Under 11 U.S.C. § 546; Memorandum of Points and Authorities; Declaration of John P. Reitman in Support</i>). (Reitman, John) (Entered: 10/01/2021)
10/01/2021	329 (2 pgs)	Order Granting Chapter 7 Trustee's Motion For Order Extending Time To File Avoidance Actions Under 11 U.S.C. Section 546. IT IS ORDERED: The Motion Shall Be And Hereby Is GRANTED. Time To File Avoidance Actions Pursuant To 11 U.S.C. Section 546 Is Extended For A Period Of Six Months, To And Including Monday, March 14, 2022 (Without Prejudice To The Trustee Seeking A Further Extension For Cause). (BNC-PDF) (Related Doc # 320) Signed on 10/1/2021 (Bolte, Nickie) (Entered: 10/01/2021)
10/03/2021	330 (7 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 329 Order on Motion to Extend Time (Generic) (BNC-PDF)) No. of Notices: 1. Notice Date 10/03/2021. (Admin.) (Entered: 10/03/2021)

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10/06/2021	331 (99 pgs)	Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) with <i>Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 319 Motion to approve compromise <i>Between Trustee and Silver Star Sound & Communications, Inc.; Memorandum of Points and Authorities; Declaration of Richard A. Marshack in Support, with Proof of Service (Related to: 315 Motion to approve compromise; [31]. (Wood, David) (Entered: 10/06/2021)</i>
10/07/2021	332 (2 pgs)	Order Granting Motion To Approve Compromise Between Trustee And Silver Star Sound & Communications, Inc. IT IS ORDERED: The Motion Is Granted. The Agreement Attached As Exhibit "1" To The Motion Is Approved. The Trustee Is Authorized To Provide The Release Of Claims Specified In The Agreement. The Trustee Is Authorized Upon Receipt Of The Settlement Payment, To Pay Compensation To Special Counsel A Contingency Fee Of \$10,095.00, 30% Of The Action's Net Recovery, If And When All Of The Settlement Proceeds Are Received (SEE ORDER FOR FURTHER RULING) (BNC-PDF) (Related Doc # 319) Signed on 10/7/2021 (Bolte, Nickie) (Entered: 10/07/2021)
10/09/2021	333 (7 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 332 Order on Motion to Approve Compromise (BNC-PDF)) No. of Notices: 1. Notice Date 10/09/2021. (Admin.) (Entered: 10/09/2021)
11/05/2021	334 (5 pgs)	Notice of Change of Address <i>Notice of Attorney Change of Address or Law Firm.</i> (Ramlo, Kurt) (Entered: 11/05/2021)
12/21/2021	335 (55 pgs)	Motion by Chapter 7 Trustee to Approve Amendment to Subordination Agreement re: <i>Judgment Lien Held by Jason Frank Law and Terms of Employment of Richard L. Kellner as Special Litigation Counsel with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 12/21/2021)
12/21/2021	336 (19 pgs)	Notice with <i>Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 335 Motion by Chapter 7 Trustee to Approve Amendment to Subordination Agreement re: <i>Judgment Lien Held by Jason Frank Law and Terms of Employment of Richard L. Kellner as Special Litigation Counsel with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Hays, D) (Entered: 12/21/2021)
01/10/2022	337 (9 pgs)	Emergency motion with <i>Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 01/10/2022)
01/10/2022	338 (7 pgs)	Application shortening time with <i>Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (Hays, D) (Entered: 01/10/2022)
01/11/2022	339 (4 pgs)	Order Granting Application And Setting Hearing On Shortened Notice. The Hearing On The Notice of Emergency Motion and Emergency Motion for Entry of Order Pursuant to 11 U.S.C. Section 107(B), Rule 9018 of the Federal Rules of Bankruptcy Procedure, and Rule 5003-2(C) of the Local Bankruptcy Rules Authorizing Trustee to File Under Seal a Motion for Order Authorizing Trustee to Use Property of the Estate Pursuant to 11 U.S.C. Section 363 will take place on January 12, 2022 at 11:00 A.M. In Courtroom 5C - Virtual (Accessibility Information Located In The Courts Tentative Rulings) located at 411 West Fourth Street, Santa Ana, CA 92701. (BNC-PDF) Signed on 1/11/2022 (RE: related document(s) 338 Application shortening time filed by Trustee Richard A Marshack (TR)). (Bolte, Nickie) (Entered: 01/11/2022)
01/11/2022	340	Hearing Set (RE: related document(s) 337 Emergency Motion for Entry of Order Pursuant to 11 U.S.C. Section 107(B), Rule 9018 of the Federal Rules of Bankruptcy Procedure, and Rule 5003-2(C) of the Local Bankruptcy Rules

https://ecf.cacb.uscourts.gov/cgi-bin/DktRpt.pl?114324194875211-L_1_0-1

40/42

1/24/22, 10:39 AM

CM/ECF - U.S. Bankruptcy Court (v1.5.3 - LIVE)

		Authorizing Trustee to File Under Seal a Motion for Order Authorizing Trustee to Use Property of the Estate Pursuant to 11 U.S.C. Section 363 filed by Trustee Richard A Marshack (TR)) The Hearing date is set for 1/12/2022 at 11:00 AM at Crtrm 5C-Virtual, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 01/11/2022)
01/11/2022	341 (10 pgs)	Notice of Hearing <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 337 Emergency motion <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR)). (Mang, Tinho) (Entered: 01/11/2022)
01/11/2022	342 (10 pgs)	Declaration re: <i>notice of hearing re: emergency motion with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 337 Emergency motion <i>with Proof of Service</i> , 338 Application shortening time <i>with Proof of Service</i>). (Mang, Tinho) (Entered: 01/11/2022)
01/12/2022	347	Hearing Held On Motion (RE: related document(s) 337 Emergency Motion For Entry Of Order Pursuant To 11 U.S.C. Section 107(B), Rule 9018 Of The Federal Rules Of Bankruptcy Procedure, And Rule 5003-2(C) Of The Local Bankruptcy Rules Authorizing Trustee To File Under Seal A Motion For Order Authorizing Trustee To Use Property Of The Estate Pursuant To 11 U.S.C. Section 363 filed by Trustee Richard A Marshack (TR)) - MOTION DENIED WITHOUT PREJUDICE - (Bolte, Nickie) (Entered: 01/20/2022)
01/13/2022	343 (9 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 339 ORDER shortening time (BNC-PDF)) No. of Notices: 1. Notice Date 01/13/2022. (Admin.) (Entered: 01/13/2022)
01/18/2022	344 (4 pgs)	Order To Show Cause Why Trustee's Motion For Order Authorizing Trustee To Use Property Of The Estate Pursuant To 11 U.S.C. Section 363 (Docket 51) Should Not Be Unsealed. IT IS ORDERED: This Court Hereby Issues This Order To Appear On March 2, 2022, At 11:00 A.M. In Courtroom 5C-Virtual, Located At 411 West Fourth Street, Santa Ana, CA 92701, And Show Cause Why The Trustee's Motion For Order Authorizing Trustee To Use Property Of The Estate Pursuant To 11 U.S.C. Section 363 [Docket 51) Should Not Be Unsealed At This Time, Either Through The Process Of This Court's Reconsideration Of The Previous Motion To Seal (Docket 49) And The Order Thereon (Docket 50), Or Alternatively, Due To The Lack Of Necessity For The Motion To Remain Sealed At This Time. The Court Is Authorized To, And Accordingly Does, Issue This Order To Show Cause Pursuant To 11 U.S.C. Sections 107(a), 107(c), 105, And The Inherent Powers Of This Court. Any Response To This Order Shall Be Filed By Not Later Than 14 Days Prior To The March 2 Hearing. (SEE ORDER FOR FURTHER RULING) (Notice Of Entered Order And Service List Attached) (BNC-PDF) (Related Doc # 51) Signed on 1/18/2022 (Bolte, Nickie) (Entered: 01/18/2022)
01/18/2022	345	Hearing Set On Order To Show Cause (RE: related document 344 Order To Show Cause Why Trustee's Motion For Order Authorizing Trustee To Use Property Of The Estate Pursuant To 11 U.S.C. Section 363 (Docket 51) Should Not Be Unsealed) Show Cause hearing to be held on 3/2/2022 at 11:00 AM at Crtrm 5C-Virtual, 411 W Fourth St., Santa Ana, CA 92701. The case judge is Scott C Clarkson (Bolte, Nickie) (Entered: 01/18/2022)
01/19/2022	346 (83 pgs)	Declaration That No Party Requested a Hearing on Motion (LBR 9013-1(o)(3)) <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 335 Motion by Chapter 7 Trustee to Approve Amendment to Subordination Agreement re: Judgment Lien Held by Jason Frank Law and Terms of Employment of Richard L. Kellner as Special Litigation Counsel with Proof of Service). (Mang, Tinho) (Entered: 01/19/2022)

https://ecf.cacb.uscourts.gov/cgi-bin/DktRpt.pl?114324194875211-L_1_0-1

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1/24/22, 10:39 AM

CM/ECF - U.S. Bankruptcy Court (v1.5.3 - LIVE)

01/20/2022	348 (9 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 344 Order to Show Cause (BNC-PDF)) No. of Notices: 1. Notice Date 01/20/2022. (Admin.) (Entered: 01/20/2022)
01/21/2022	349 (2 pgs)	Order Granting Motion to Approve Amendment to Subordination Agreement RE: Judgment Lien held by Jason Frank Law and terms of employment of Richard L. Kellner as Special Litigation Counsel (See Order for Further Rulings) (BNC-PDF) (Related Doc # 335) Signed on 1/21/2022 (Mccall, Audrey) (Entered: 01/21/2022)
01/21/2022	350 (8 pgs)	Notice of lodgment <i>with Proof of Service</i> Filed by Trustee Richard A Marshack (TR) (RE: related document(s) 337 Emergency motion <i>with Proof of Service</i>). (Hays, D) (Entered: 01/21/2022)
01/21/2022	351 (2 pgs)	Order Denying Emergency Motion for Entry of Order pursuant to 11 U.S.C. Section 107(b), Rule 9018 of the Federal Rules of Bankruptcy Procedure, and Rule 5003-2(c) of the Local Bankruptcy Rules authorizing the Trustee to file Under Seal a Motion for Order Authorizing the Trustee to use property of the estate pursuant to 11 U.S.C. Section 363 (Related Doc # 337) Signed on 1/21/2022 (Mccall, Audrey) (Entered: 01/21/2022)
01/23/2022	352 (7 pgs)	BNC Certificate of Notice - PDF Document. (RE: related document(s) 349 Order on Generic Motion (BNC-PDF)) No. of Notices: 1. Notice Date 01/23/2022. (Admin.) (Entered: 01/23/2022)

PACER Service Center			
Transaction Receipt			
01/24/2022 10:38:52			
PACER Login:	attydeh162507	Client Code:	1015-131
Description:	Docket Report	Search Criteria:	8:19-bk-13560-SC Fil or Ent: filed From: 1/1/2019 To: 1/24/2022 Doc From: 0 Doc To: 99999999 Term: included Format: html Page counts for documents: included
Billable Pages:	30	Cost:	3.00

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EXHIBIT “3”

**Federal Defenders
OF NEW YORK, INC.**

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director

January 7, 2022

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

Mr. Richard A. Marshack, Esq.
Marshack Hays LLP
870 Roosevelt
Irvine, CA 92620

RE: United States v. Michael Avenatti
19 Cr. 374 (JMF)

Dear Mr. Marshack,

Federal Defenders of New York, Inc., represents the above captioned individual in federal court in the Southern District of New York. Attached please find a trial appearance subpoena for your testimony on January 24, 2022, at 40 Foley Square in front of Judge Jesse M. Furman at 9:00 a.m. and for the duration of the trial. In addition to your trial testimony, we are requesting items be **produced in advance** of the January 24, 2022, trial date. Please see the enclosed subpoena rider with the requested items.

The requested items should be returned to Federal Defenders of New York, Inc., Attn: Ms. Anna Finkel, 52 Duane St., 10th Fl., New York, NY, 10007 or by email to anna_finkel@fd.org. You will not be required to be in court on January 24, 2022, but you will need to be available for the duration of the trial. Please contact me at (212) 417-8714 or Mr. Robert Baum, Esq. at (212) 417-8760 to discuss scheduling matters and your travel arrangements to testify at trial.

Sincerely,

/s/
Anna Finkel
Chief Investigator
(212) 417-8714

Enclosure

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AO 89 (Rev. 08/09) Subpoena to Testify at a Hearing or Trial in a Criminal Case

UNITED STATES DISTRICT COURT

for the

Southern District of New York

United States of America)

v.)

Michael Avenatti)

Case No. 19 Cr. 374 (JMF)

Defendant

SUBPOENA TO TESTIFY AT A HEARING OR TRIAL IN A CRIMINAL CASE

To: Richard A. Marshack, Esq.

YOU ARE COMMANDED to appear in the United States district court at the time, date, and place shown below to testify in this criminal case. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place of Appearance: 40 Foley Square, Judge Jesse M. Furman	Courtroom No.: courtroom 1105 Date and Time: 01/24/2022 9:00 AM and for the duration of trial
--	---

You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

SEE RIDER

(SEAL)

RUBY J. KRAJICK

CLERK OF COURT

Date: 01/07/2022

Signature of Clerk or Deputy Clerk

The name, address, e-mail, and telephone number of the attorney representing (*name of party*) Michael Avenatti
, who requests this subpoena, are:

Federal Defenders of New York, Inc.
Mr. Robert M. Baum, Esq.
52 Duane St., 10th Fl.
New York, NY 10007
(212) 417-8760
Robert_Baum@fd.org

Richard A. Marshack – Rider

Provide the following records:

**** Produce in advance of trial certified copies of the following items:**

provide any and all communications between Stephanie Clifford (aka Stormy Daniels) and Michael Avenatti between February 2018 – Present. This should include all text messages, instant messages, emails, letters, cards, voicemails, Facebook messages, WhatsApp messages, Instagram messages, and messages on similar platforms such as Signal or Telegram.

- provide any and all communications between Stephanie Clifford and Judy Regnier between February 2018 – Present. This should include all text messages, instant messages, emails, letters, cards, voicemails, Facebook messages, WhatsApp messages, Instagram messages, and messages on similar platforms such as Signal or Telegram.

- provide any and all communications involving Judy Regnier relating to Ms. Clifford's book between February 2018 – Present. This should include all text messages, instant messages, emails, letters, cards, voicemails, Facebook messages, WhatsApp messages, Instagram messages, and messages on similar platforms such as Signal or Telegram.

- provide any and all communications between Judy Regnier and Michael Avenatti relating to Stephanie Clifford between February 2018 – Present. This should include all text messages, instant messages, emails, letters, cards, voicemails, Facebook messages, WhatsApp messages, Instagram messages, and messages on similar platforms such as Signal or Telegram.

- provide any and all communications involving Michael Avenatti relating to work performed for Stephanie Clifford, including on her book deal, between February 2018 – Present. This should include all text messages, instant messages, emails, letters, cards, voicemails, Facebook messages, WhatsApp messages, Instagram messages, and messages on similar platforms such as Signal or Telegram.

- provide any and all documents reflecting work performed for Stephanie Clifford, including on her book deal, between February 2018 – Present. This should include all text messages, instant messages, emails, letters, cards, voicemails, Facebook messages, WhatsApp messages, Instagram messages, and messages on similar platforms such as Signal or Telegram.

- provide any and all accounting, billing, and financial records relating to Stephanie Clifford. This should include all invoices, bills, and accounting entries reflecting monies expended for Ms. Clifford, as well as all time spent working on Ms. Clifford's behalf.

- provide any and all Quickbooks and Tabs data relating to Ms. Clifford.

- provide any and all communications and documents relating to the financial condition of Michael Avenatti, Eagan Avenatti, LLP, and/or Avenatti and Associates, APC during the time period January 1, 2018 to March 30, 2019. This should include all documents and communications relating to assets, debts, cash flow, income, liabilities, loans, and prospects for future income.**

The defendant is indigent and invokes Rule 17(b) F.R.CRIM. P, and as such is not responsible for records-related fees.

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EXHIBIT “5”

EXHIBIT "2"
PAGE 73

DECLARATION OF STEPHANIE CLIFFORD

I, Stephanie Clifford, hereby declare:

1. I am currently represented by Brewster & De Angelis PLLC and Clark O. Brewster, Esq., whom I authorized to contact the United States Attorney's Office for the Southern District of New York on my behalf regarding certain of my communications with my former attorney, Michael J. Avenatti, Esq.

2. I previously was represented by Michael J. Avenatti, Esq., and the law firms of Eagan Avenatti LLP and Avenatti & Associates PC (collectively, "Avenatti"), in connection with several legal matters.

3. I understand that my communications with Avenatti may be subject to a valid claim of privilege. I hereby waive any attorney-client or other privilege that might attach to any conversations and communications with Avenatti, including any such communications that might be contained on any electronic device belonging to, controlled by, or possessed by Avenatti.

EXHIBIT 4, PAGE 37

4. I have discussed the foregoing with my current
counsel, and make this waiver knowingly and voluntarily.


STEPHANIE CLIFFORD Date 4/15/19

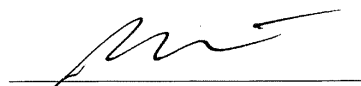

Clark O. Brewster, Esq.
Attorney for STEPHANIE CLIFFORD Date 4-15-19

EXHIBIT 4, PAGE 38

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EXHIBIT “3”

EXHIBIT "2"
PAGE 76

DECLARATION OF GARY FRANKLIN

I, Gary Franklin, hereby declare:

1. I am currently represented by Michael J. Proctor, Esq., and Whitney R. O'Byrne, Esq., of Durie Tangri LLP, whom I authorized to contact the United States Attorney's Office for the Southern District of New York on my behalf regarding certain of my communications with my former attorney, Michael J. Avenatti, Esq.

2. I previously was represented by Michael J. Avenatti, Esq., and/or the law firms of Eagan Avenatti LLP and Avenatti & Associates PC (collectively, "Avenatti"), in connection with certain legal matters.

3. I understand that my communications with Avenatti may be subject to a valid claim of privilege. I hereby waive any attorney-client or other privilege that might attach to any conversations and communications with Avenatti, including any such communications that might be contained on any electronic device belonging to, controlled by, or possessed by Avenatti.

EXHIBIT 5, PAGE 39

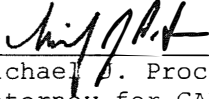
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4. I have discussed the foregoing with my current
counsel, and make this waiver knowingly and voluntarily.



GARY FRANKLIN

Date



Michael P. Proctor, Esq.
Attorney for GARY FRANKLIN

May 1, 2019
Date

EXHIBIT 5, PAGE 40

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
870 Roosevelt, Irvine, CA 92620

A true and correct copy of the foregoing document entitled: **CHAPTER 7 TRUSTEE'S EMERGENCY MOTION FOR ORDER: AUTHORIZING TRUSTEE TO USE PROPERTY OF THE ESTATE PURSUANT TO 11 U.S.C. § 363 MEMORANDUM OF POINTS AND AUTHORITIES; DECLARATIONS OF RICHARD A. MARSHACK AND MATTHEW D. MURPHEY IN SUPPORT** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **January 24, 2022**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL: On **January 24, 2022**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

MAIL REDIRECTED TO TRUSTEE 09/23/19
DEBTOR
EAGAN AVENATTI, LLP
20341 SW BIRCH, SUITE 220
NEWPORT BEACH, CA 92660-1514

U.S. TRUSTEE
UNITED STATES TRUSTEE (SA)
411 W FOURTH ST., SUITE 7160
SANTA ANA, CA 92701-4593

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL: Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **January 24, 2022**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

VIA PERSONAL DELIVERY:
PRESIDING JUDGE'S COPY
HONORABLE SCOTT C. CLARKSON
UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT OF CALIFORNIA
RONALD REAGAN FEDERAL BUILDING AND COURTHOUSE
411 WEST FOURTH STREET, SUITE 5130 / COURTROOM 5C
SANTA ANA, CA 92701-4593

☒ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

January 24, 2022

Date

Cynthia Bastida

Printed Name

/s/ Cynthia Bastida

Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

June 2012

F 9013-3.1.PROOF.SERVICE

4828-3049-9260, v. 1

EXHIBIT "2"
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1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): CONTINUED:

- **INTERESTED PARTY COURTESY NEF:** James C Bastian jbastian@shulmanbastian.com
- **ATTORNEY FOR DEFENDANT TRACKSIDE PERFORMANCE, LLC; DEFENDANT ANDREW S DAVIS; AND DEFENDANT ROBERT FAIETA DBA COMPETITION MOTORSPORTS:** Christopher L Blank chris@chrisblanklaw.com
- **ATTORNEY FOR DEFENDANT DILLANOS COFFEE ROASTERS, INC:** Mark S Bostick mbostick@wendel.com, bankruptcy@wendel.com
- **ATTORNEY FOR INTERESTED PARTY AND DEFENDANT EISENHOWER CARLSON PLLC:** Steven Casselberry s.casselberry@mpglaw.com, j.jacobs@mpglaw.com
- **[DECEASED] ATTORNEY FOR DEFENDANT ALEDMI, LLC; DEFENDANT ALAN CHAFFEE; DEFENDANT EDWIN SPAUNHURST; AND DEFENDANT MICHAEL WHITE:** Lei Lei Wang Ekvall lekvall@swelawfirm.com, lgarrett@swelawfirm.com; gcruz@swelawfirm.com; jchung@swelawfirm.com
- **ATTORNEY FOR DEFENDANT SILVER STAR SOUNDS & COMMUNICATIONS, INC:** Jeffrey I Golden jgolden@wglp.com, kadele@wglp.com; cbmeeker@gmail.com; lbracken@wglp.com; gestrada@wglp.com
- **ATTORNEY FOR DEFENDANTS THE X-LAW GROUP, PC, A PROFESSIONAL CORPORATION AND FILIPPO MARCHINO:** David B Golubchik dbg@lnbyb.com, stephanie@lnbyb.com
- **ATTORNEY FOR DEFENDANT GALLO BUILDERS, INC.:** Martin B Greenbaum eparker@collectionlaw.com, mgreenbaum@collectionlaw.com
- **ATTORNEY FOR TRUSTEE RICHARD A MARSHACK (TR):** D Edward Hays ehays@marshackhays.com, ehays@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com; cmendoza@marshackhays.com; cmendoza@ecf.courtdrive.com
- **ATTORNEY FOR DEFENDANT HONDA AIRCRAFT COMPANY LLC:** Robert J Im rim@mcglinchey.com, irvineECF@mcglinchey.com
- **ATTORNEY FOR PLAINTIFF RICHARD A MARSHACK:** Richard L Kellner rlk@kellnerlaw.com, irma.c.deleon@gmail.com
- **ATTORNEY FOR INTERVENOR HRAYR SHAHINIAN:** Erick Kuylman erick.kuylman@warrenterzian.com
- **ATTORNEY FOR OTHER PROFESSIONAL JAMS, INC.:** Jessica R MacGregor jmacgregor@longlevit.com, lmyers@longlevit.com
- **ATTORNEY FOR INTERESTED PARTY AND DEFENDANT SIMEON OSBORN:** Aaron J Malo malo@sheppardmullin.com, clopez@sheppardmullin.com; abilly@sheppardmullin.com
- **ATTORNEY FOR TRUSTEE RICHARD A MARSHACK (TR):** Tinho Mang tmang@marshackhays.com, tmang@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com; cmendoza@ecf.courtdrive.com
- **ATTORNEY FOR CREDITOR/DEFENDANT THE X-LAW GROUP, P.C.; CREDITOR ALEXIS GARDNER; CREDITOR DAMON ROGERS; DEFENDANT YOUNG BLUE LLC; DEFENDANT ELBA HERNANDEZ; DEFENDANT FILIPPO MARCHINO; DEFENDANT SANDY LE:** Filippo Marchino fm@xlawx.com, tc@xlawx.com; sg@xlawx.com
- **ATTORNEY FOR TRUSTEE RICHARD A MARSHACK (TR):** Judith E Marshack jmarshack@marshackhays.com, jmarshack@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com
- **TRUSTEE RICHARD A MARSHACK (TR):** Richard A Marshack (TR) pkraus@marshackhays.com, rmarshack@iq7technology.com; ecf.alert+Marshack@titlexi.com
- **ATTORNEY FOR DEFENDANT ALEDMI, LLC; DEFENDANT ALAN CHAFFEE; DEFENDANT EDWIN SPAUNHURST; AND DEFENDANT MICHAEL WHITE:** Robert S Marticello Rmarticello@swelawfirm.com, gcruz@swelawfirm.com; lgarrett@swelawfirm.com; jchung@swelawfirm.com
- **ATTORNEY FOR TRUSTEE RICHARD A MARSHACK (TR):** Meghan C Murphey meghan@themurpheylawyers.com, lorraine@themurpheylawyers.com
- **MEDIATOR ALAN I NAHMIA:** Alan I Nahmias anahmias@mbn.law, jdale@mbnlawyers.com
- **ATTORNEY FOR CREDITOR STOLL, NUSSBAUM & POLAKOV:** Karen S. Naylor Becky@ringstadlaw.com, Karen@ringstadlaw.com; arlene@ringstadlaw.com
- **ATTORNEY FOR INTERESTED PARTY AND DEFENDANT MICHAEL AVENATTI AND DEFENDANT AVENATTI & ASSOCIATES APC:** Ryan D O'Dea rodea@shulmanbastian.com, LGauthier@shulmanbastian.com
- **ATTORNEY FOR DEFENDANT HONDA AIRCRAFT COMPANY LLC:** Brian A Paino bpaino@mcglinchey.com, irvineECF@mcglinchey.com
- **ATTORNEY FOR DEFENDANT HPPW, LLC:** Aditi Paranjpye aparanjpye@cairncross.com, gglosser@cairncross.com; AParanjpye@ecf.courtdrive.com

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

June 2012

F 9013-3.1.PROOF.SERVICE

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- **ATTORNEY FOR DEFENDANT FOSTER GARVEY PC, AS SUCCESSOR-IN-INTEREST TO FOSTER PEPPER PLLC, AND DEFENDANT CHRISTINE AVENATTI CARLIN:** Misty A Perry Isaacson misty@ppilawyers.com, ecf@ppilawyers.com; perryisaacsonmr51779@notify.bestcase.com
- **ATTORNEY FOR DEFENDANT VINCENT BUILDERS, INC:** Eric S Pezold epezold@swlaw.com, knestuk@swlaw.com
- **ATTORNEY FOR DEFENDANTS THE X-LAW GROUP, PC, A PROFESSIONAL CORPORATION AND FILIPPO MARCHINO:** Kurt Ramlo kr@lnbyg.com, kr@ecf.inforuptcy.com
- **ATTORNEY FOR CREDITOR EDWARD M. RICCI, P.A.:** David M Reeder david@reederlaw.com, secretary@reederlaw.com
- **ATTORNEY FOR PLAINTIFF AND TRUSTEE RICHARD A MARSHACK (TR):** Jack A. Reitman jareitman@landaufirm.com, srichmond@landaufirm.com; vrichmond@landaufirm.com; avedrova@landaufirm.com
- **ATTORNEY FOR PLAINTIFF AND TRUSTEE RICHARD A MARSHACK (TR):** John P. Reitman jreitman@landaufirm.com, hrichmond@landaufirm.com; vrichmond@landaufirm.com; avedrova@landaufirm.com
- **INTERESTED PARTY COURTESY NEF:** Ronald N Richards ron@ronaldrichards.com, morani@ronaldrichards.com
- **INTERESTED PARTY COURTESY NEF:** Monica Rieder mrieder@landaufirm.com, vrichmond@landaufirm.com; avedrova@landaufirm.com; hrichmond@landaufirm.com
- **INTERESTED PARTY COURTESY NEF:** Nanette D Sanders becky@ringstadlaw.com, arlene@ringstadlaw.com
- **ATTORNEY FOR DEFENDANT ALEDMI, LLC; DEFENDANT ALAN CHAFFEE; DEFENDANT EDWIN SPAUNHURST; AND DEFENDANT MICHAEL WHITE:** Michael Simon msimon@swelawfirm.com, lgarrett@swelawfirm.com; gcruz@swelawfirm.com; jchung@swelawfirm.com
- **ATTORNEY FOR DEFENDANT VINCENT BUILDERS, INC.:** Andrew Still astill@swlaw.com, kcollins@swlaw.com
- **United States Trustee (SA):** United States Trustee (SA) ustpregion16.sa.ecf@usdoj.gov
- **ATTORNEY FOR TRUSTEE RICHARD A MARSHACK (TR):** David Wood dwood@marshackhays.com, dwood@ecf.courtdrive.com; lbuchananmh@ecf.courtdrive.com; kfrederick@ecf.courtdrive.com

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL: CONTINUED:

VIA EMAIL:

- **INTERESTED PARTY:** ANDREW DALACK, ATTORNEY, FEDERAL DEFENDERS OF NEW YORK, INC., ANDREW_DALACK@FD.ORG
- **INTERESTED PARTY:** ANNA FINKEL, CHIEF INVESTIGATOR, FEDERAL DEFENDERS OF NEW YORK, IN.C, ANNA_FINKEL@FD.ORG
- **INTERESTED PARTY:** ROBERT B. SOBELMAN, ASSISTANT UNITED STATES ATTORNEY FOR SOUTHERN DISTRICT OF NEW YORK, ROBERT.SOBELMAN@USDOJ.GOV

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

June 2012

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4828-3049-9260, v. 1

EXHIBIT "2"
PAGE 81

EXHIBIT “3”

Monday, January 31, 2022 at 10:42:39 Mountain Standard Time

Subject: Re: Eagan Avenatti, LLP - 8:19-bk-13560-SC - Hearing on Trustee's Motion for Order for Permission to Comply
Date: Tuesday, January 25, 2022 at 3:18:13 PM Mountain Standard Time
From: Andrew Dalack
To: Matt Murphey
CC: Robert Sobelman, Ed Hays, David Wood, Meghan Murphey

Sorry to hear that, Matt. Please take care of yourself, I look forward to the email report.

Andrew

On Jan 25, 2022, at 4:46 PM, Matt Murphey <matt@themurphey lawyers.com> wrote:

Hi Andrew - Like half of California, I have breakthrough Covid and am unable to speak very well. I will send an email report to you both after the hearing tomorrow, and will probably be better able to communicate by Friday. Thanks for your understanding.

Best,

Matt

Matthew D. Murphey, Esq.
MURPHEY & MURPHEY, A.P.C.
Sent from my iPhone
Please excuse any typos
Standard email caveats apply

On Jan 25, 2022, at 1:39 PM, Andrew Dalack <Andrew_Dalack@fd.org> wrote:

Thanks, Matt. Can we touch base after the hearing? I won't be able to make it but am happy to chat when it's over.

Thanks,

Andrew

Andrew Dalack
Assistant Federal Defender, SDNY
(646) 315-1527

On Jan 25, 2022, at 4:37 PM, Matt Murphey
<matt@themurphey lawyers.com> wrote:

Counsel: Judge Clarkson granted our Application for an order shortening

time on our motion to grant the trustee permission to comply with your respective subpoenas. There is a hearing scheduled for 11 am tomorrow, January 26, 2022. Information as to how to appear at the hearing remotely can be found on Judge Clarkson's chamber's page at <https://www.cacb.uscourts.gov/judges/honorable-scott-c-clarkson>

Thank you.

Matthew D. Murphey, Esq.
MURPHEY & MURPHEY, A.P.C.
(949) 464-4542
Sent from my iPad
Please excuse any typos
Standard email caveats apply

EXHIBIT “4”

Monday, January 31, 2022 at 10:41:35 Mountain Standard Time

Subject: RE: Eagan Avenatti, LLP - 8:19-bk-13560-SC - Hearing on Trustee's Motion for Order for Permission to Comply
Date: Wednesday, January 26, 2022 at 2:16:50 PM Mountain Standard Time
From: Matt Murphey
To: andrew_dalack@fd.org, Robert Sobelman
CC: Ed Hays, David Wood, Meghan Murphey

Counsel:

The hearing on Trustee Richard Marshack's Motion for Order for Permission to Comply ("Motion") with the subpoenas issued by your respective offices ("Subpoenas") concluded just a few moments ago. As you know, the hearing was held in the United States Bankruptcy Court for the Central District of California, before the Honorable Scott C. Clarkson. As to appearances, in addition to the Trustee's counsel and special counsel, Ryan O'Dea appeared at the hearing on behalf of whom he identified on the record as "interested party, Michael Avenatti."

For the reasons stated more completely on the record (which can be obtained by contacting Judge Clarkson's court reporter through the web site identified in my January 25, 2022 email to you both), I paraphrase that Judge Clarkson found, among other things, that the Subpoenas constitute core proceedings pursuant to 28 U.S.C. section 157, subsections (b)(2)(A), (L) and (O), thereby implicating the so-called *Barton* Doctrine [*See Barton v. Barbour*, 104 U.S. 126 (1886)]. Pursuant to the *Barton* Doctrine, both the government and the Federal Defender were obligated to have first obtained the Bankruptcy Court's permission prior to issuing the subpoenas to the Trustee, since the Subpoenas purportedly issued from another forum, that being the Southern District of New York, and both threaten the Trustee with contempt of court for failure to comply. The Trustee's Motion was therefore denied, with prejudice.

Accordingly, the Trustee is unable to comply with the Subpoenas now or at any time in the future.

Please let me know if you have any questions, however, the best source for the Court's holding and reasoning is the transcript of the proceedings, which may be obtained as noted above.

Thank you.

Matthew D. Murphey
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Tel: 949-464-4542

Matthew D. Murphey
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From: Matt Murphey
Sent: Tuesday, January 25, 2022 1:36 PM
To: andrew_dalack@fd.org; Robert Sobelman <Robert.Sobelman@usdoj.gov>

Cc: Ed Hays <EHays@marshackhays.com>; David Wood <dwood@marshackhays.com>; Meghan Murphey <meghan@themurphey lawyers.com>

Subject: Eagan Avenatti, LLP - 8:19-bk-13560-SC - Hearing on Trustee's Motion for Order for Permission to Comply

Counsel: Judge Clarkson granted our Application for an order shortening time on our motion to grant the trustee permission to comply with your respective subpoenas. There is a hearing scheduled for 11 am tomorrow, January 26, 2022. Information as to how to appear at the hearing remotely can be found on Judge Clarkson's chamber's page at <https://www.cacb.uscourts.gov/judges/honorable-scott-c-clarkson>

Thank you.

Matthew D. Murphey, Esq.
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Sent from my iPad
Please excuse any typos
Standard email caveats apply

EXHIBIT “5”

Monday, January 31, 2022 at 11:55:10 Mountain Standard Time

Subject: New filing in Eagan Avenatti, LLP - 8:19-bk-13560-SC Hearing Held (Bk Motion)
Date: Wednesday, January 26, 2022 at 2:16:45 PM Mountain Standard Time
From: noreply@courtdrive.com
To: Ed Hays

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U.S. Bankruptcy Court
Central District of California

Notice of Electronic Filing

The following transaction was received from Bolte, Nickie entered on 1/26/2022 at 12:27 PM PST and filed on 1/26/2022

Case Name: Eagan Avenatti, LLP
Case Number: [8:19-bk-13560-SC](#)
Document Number: 360

Docket Text:

Hearing Held On Motion (RE: related document(s)[353] Chapter 7 Trustee's Emergency Motion For Order: Authorizing Trustee To Use Property Of The Estate Pursuant To 11 U.S.C. Section 363 filed by Trustee Richard A Marshack (TR)) - MOTION DENIED WITH PREJUDICE (Bolte, Nickie)

The following document(s) are associated with this transaction:

8:19-bk-13560-SC Notice will be electronically mailed to:

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Michael Simon on behalf of Defendant Edwin Spaunhurst
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8:19-bk-13560-SC Notice will not be electronically mailed to:

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8:19-bk-13560-SC These participants in a related case have chosen not to receive notice from this case:

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